the weekly Standard

AUGUST 3, 1998 • $3.50

ULYSSES S. GRANT'S GREATNESS
MICHAEL BARONE

THE CRISIS OF MANLINESS

BY WALLER R. NEWELL

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the weekly Standard

VOLUME 3, NUMBER 45 • AUGUST 3, 1998

2 SCRAPBOOK
The Radcliffe Reading List; Clinton's no Gehrig; and more.

4 CASUAL
Christopher Caldwell remembers his untreasured island.

6 CORRESPONDENCE

9 EDITORIAL
Contagious Corruption

10 MCCURRYING FAVOR
Farewell to Clinton's stonewaller. *by* **Andrew Ferguson**

12 THE GOP'S TAX-CUT WAR
House and Senate leaders fight one another. *by* **Fred Barnes**

14 SECONDHAND STATISTICS
The tobacco debate's magic number. *by* **Jay Nordlinger**

15 THE DISABILITIES LAW DISABLED
Will Congress intervene? *by* **Andrew Peyton Thomas**

17 A PREVENTABLE MURDER
The courts ignore a woman's plea. *by* **Daniel McKivergan**

40 PARODY

COVER BY KERRY P. TALBOTT

18 THE CRISIS OF MANLINESS
What should our boys grow up to be? *by* **Waller R. Newell**

21 THE MEN WHO RUN RUSSIA
A large country dominated by a small group of tycoons. *by* **David Aikman**

25 GREEN NONSENSE, BLACK LOSSES
How the Clinton administration metes out "environmental justice." *by* **Henry Payne**

Books & Arts

29 GRANT AND THE HISTORIANS Frank Scaturro's *President Grant Reconsidered*. *by* **Michael Barone**

33 BEING AND NAZISM The problem of Martin Heidegger. *by* **Edward T. Oakes S.J.**

35 PRESENT AT THE CREATION Religion and the founding on exhibit. *by* **Matthew Spalding**

38 ALL GUTS, NO GLORY Steven Spielberg's *Saving Private Ryan*. *by* **John Podhoretz**

William Kristol, *Editor and Publisher* **Fred Barnes,** *Executive Editor*
David Tell, *Opinion Editor* **David Brooks, Andrew Ferguson,** *Senior Editors* **Richard Starr, Claudia Winkler,** *Managing Editors*
J. Bottum, *Books & Arts Editor* **Christopher Caldwell,** *Senior Writer* **Jay Nordlinger,** *Associate Editor*
Tucker Carlson, Matt Labash, Matthew Rees, *Staff Writers* **Kent Bain,** *Art Director*
Victorino Matus, *Assistant Editor* **Katherine Rybak,** *Assistant Art Director* **Jonathan V. Last, Pia Nordlinger,** *Reporters*
John J. DiIulio Jr., Joseph Epstein, David Frum, David Gelernter, Brit Hume,
Robert Kagan, Charles Krauthammer, P. J. O'Rourke, John Podhoretz *Contributing Editors*
David H. Bass, *Deputy Publisher* **Jennifer L. Felten,** *Business Manager*
Nicholas H.B. Swezey, *Advertising & Marketing Manager* **John L. Mackall,** *Advertising Sales Manager* **Lauren C. Trotta,** *Circulation Director*
Doris Ridley, Carolyn Wimmer, *Executive Assistants* **Jamie L. Kolton, Adam Langley** *Staff Assistants*

The Weekly Standard (ISSN 1083-3013) is published weekly (except for combined issues dated July 6-July 13, Aug. 10-Aug. 17, Aug. 24-Aug. 31, and Dec. 28-Jan. 4) by News America Incorporated, 1211 Avenue of the Americas, New York, NY 10036. Periodicals postage paid at New York, NY, and additional mailing offices. Postmaster: Send address changes to The Weekly Standard, P.O. Box 96127, Washington, DC 20077-7767. For subscription customer service in the United States, call 1-800-274-7293. For new subscription orders, please call 1-800-283-2014. Subscribers: Please send new subscription orders to The Weekly Standard, P.O. Box 96153, Washington, DC 20090-6153; changes of address to The Weekly Standard, P.O. Box 96127, Washington, DC 20077-7767. Please include your latest magazine mailing label. Allow 3 to 5 weeks for arrival of first copy and address changes. Yearly subscriptions, $78.00. Canadian/foreign orders require additional postage and must be paid in full prior to commencement of service. Canadian/foreign subscribers may call 1-303-776-3605 for subscription inquiries. Visa/MasterCard payment accepted. Cover price, $3.50. Back issues, $3.50 (includes postage and handling). Send manuscripts and letters to the editor to The Weekly Standard, 1150 17th Street, N.W., Suite 505, Washington, DC 20036-4617. Unsolicited manuscripts must be accompanied by a stamped, self-addressed envelope. The Weekly Standard Advertising Sales Office in Washington, DC, is 1-202-293-4900. Advertising Production: Call Natalie Harwood, 1-610-293-8540. Copyright 1998, News America Incorporated. All rights reserved. No material in The Weekly Standard may be reprinted without permission of the copyright owner. The Weekly Standard is a trademark of News America Incorporated.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Radcliffe Reading List

The notion of assembling a panel of judges and voting on the "Random House/Modern Library List of the 100 Best English-Language Novels of the 20th Century" was a silly one to begin with—an effort to arrive at a 1950s-style consensus that hasn't existed since, well, the 1950s. But then, some people seem to like that sort of thing: The irrepressible credit-claimer Harold Evans—fresh from insisting that *he* was the one who actually fired James Fallows as editor of *U.S. News & World Report*—felt compelled to insist that the best-novel list had really been *his* idea back when he was president of Random House.

But then, if millennium fever compels you to do this kind of thing, you could do worse than the folks at the Modern Library. You could do a lot better, too. The judges are right that James Joyce's *Ulysses* is the best novel of the 20th century (every once in a while, the shibboleths of the cocktail-party set turn out to be correct). But does Joseph Heller's *Catch-22*—funny as it is—belong at number 7? Or John O'Hara's *Appointment in Samarra* at number 22? Or Erskine Caldwell's *Tobacco Road* even in the top 5,000?

Still, as we said, it could have been worse. In fact, it is already worse. The Modern Library's editors presented the list to the 100 students in Radcliffe College's summer publishing course, the most prestigious workshop in the trade, a six-week training camp for aspiring publishers and editors. And in outrage over the predominance of white, male, American authors and the heavy literariness of the Random House list, the Radcliffe students prepared their own counter list. Pay attention. The future of the publishing of American fiction will be in the hands of these Cliffies.

They declared Alice Walker's *The Color Purple* the 5th best novel of the 20th century. John Steinbeck's *Of Mice and Men* the 12th. A.A. Milne's *Winnie-the-Pooh* the 22nd. Frank L. Baum's *The Wonderful Wizard of Oz* the 47th. John Knowles's *A Separate Peace* the 67th. And Douglas Adams's *A Hitchhiker's Guide to the Galaxy* the 72nd. Each of these books "speaks to today's time," explained publishing student Sam Lubell. And the Modern Library's judges? "I just felt like they were pretty out of it." If by out of it he meant that they included books the Radcliffe students hadn't read in junior high school, he may be right. The Scrapbook was at first inclined to mock the Random House editors for their list, but now they look like the last brave sentinels at the Bastille. After them, the deluge.

The Disappearing Gas Attack

Last week, the Pentagon issued its report on CNN and *Time*'s ill-fated nerve-gas "scoop." As expected, the search of Vietnam-era military archives turned up no evidence of the tall tale that CNN and *Time* had already retracted—namely, that U.S. Special Forces were sent to Laos in 1970 to assassinate defectors, and that while there they launched a nerve-gas attack that killed Laotian women and children.

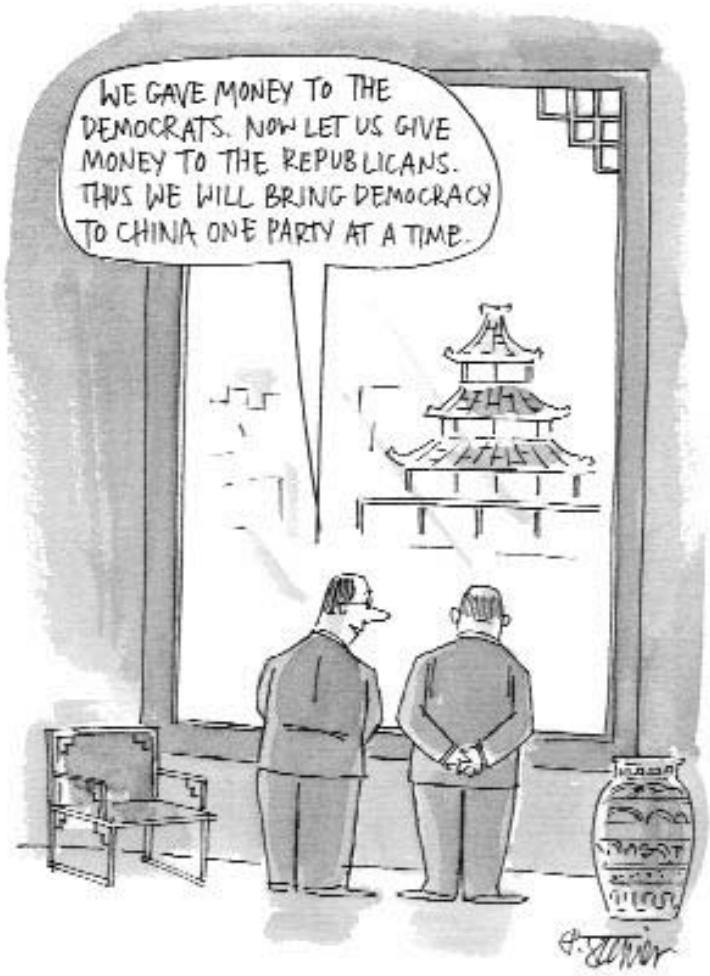
Not only did the Pentagon find no evidence for the story that got CNN fantasists, er, producers April Oliver and Jack Smith fired, but the report noted that even the North Vietnamese—who never shied from accusing the U.S. military of atrocities—had no record of any U.S. nerve-gas use, real or concocted for propaganda purposes. CNN unsurprisingly has reached a monetary settlement with retired admiral Thomas Moorer, who said his interviews were misconstrued by Oliver and Smith. And the commander of the raid into Laos, Eugene McCarley, has now sued CNN for defamation.

CNN's star correspondent Peter Arnett, meanwhile, said that the Pentagon's findings were "good enough for me." The Scrapbook thinks his acquiescence may be a career first for the famously anti-Pentagon Arnett, who fought successfully to save his CNN job by arguing that he hadn't done any reporting on the nerve-gas story but just read the script. Then again, had Arnett disputed findings with which the North Vietnamese concurred, that too would no doubt have been a career first.

Stand By Your Person

Was it just coincidence or did President Clinton sound a lot like Lou Gehrig the weekend before last during his Arkansas trip? In his famous valedictory speech to Yankee fans after contracting the disease that would bring him down in his prime, Gehrig, choking back tears, called himself "the luckiest man on the face of the earth." Clinton, speaking to supporters at a fund-raiser in Little Rock, offered the gender-scrubbed nineties version: "I've been the luckiest person in the world," he said. "The American people have continued to support me in the face of unprecedented attacks." Gehrig, of course, was eschewing self-pity.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



Heed the Rumsfeld Report

Iran launched a new North Korean-designed missile last week that will extend the deadly reach of the mullahs to Israel and beyond, as well as threatening thousands of U.S. troops in the Middle East. The North Korean version of the missile has an 800-mile range; Iran's may go slightly farther. Regardless of their precise range, the missiles represent a new strategic threat in the region for which the United States and its allies are ill-prepared and against which, it bears repeating, we are all but defenseless.

With luck, the Iranian launch will serve as the exclamation point on an important report released just a week earlier on ballistic-missile threats to the United States. The report, issued by a commission chaired by former secretary of defense Donald Rumsfeld, not only warns of imminent missile threats of the sort exemplified by Iran's launch last week, but suggests that the Clinton administration has been lax about the threat and that the intelligence community has consistently underestimated missile dangers.

Amid the administration's understandable consternation over Iran's tests last week, the president told reporters, "We're very, very concerned about it, but not surprised by it." This is an unsettling reaction, to say the least. The Clinton administration has backburnered missile defenses that might be effective against the likes of Iran's new Shahab-3. If the administration is truly not surprised, then it has been derelict in its duty. Still, it's not too late for the president to draw the obvious conclusion from the findings of the Rumsfeld commission: The threat has arrived, and we must redouble efforts to deploy effective missile defenses.

Doffing the Family Cap

Ever since President Clinton signed the welfare-reform bill two years ago, his administration has been fiddling with technical parts of the law to blunt its impact. Now a Republican is trying to get into the act. Rep. Chris Smith of New Jersey has introduced legislation that proposes to penalize states that deny extra benefits to women who have babies while on welfare. This policy—informally known as the "family cap"—was first introduced in New Jersey in 1992 and is now in place in 23 other states. Besides lowering welfare spending, many welfare experts believe the family cap may have reduced the number of births to women on welfare, while also providing a disincentive for women to start receiving welfare benefits.

Smith, co-chairman of the House Pro-Life Caucus, believes the "family cap" has led up to 1,000 New Jersey women to opt for abortion rather than give birth to a child and be denied extra benefits. But his evidence comes from a flawed Rutgers University study. When the Congressional Research Service analyzed the Rutgers study recently, it found an array of technical problems with the study. That doesn't persuade Smith though, who joins strange bedfellows from the National Organization for Women and the ACLU in wanting to overturn family-cap policies. Just how hard he's going to push his House colleagues to pass the legislation isn't clear, but Smith enjoys considerable clout with the House's pro-life caucus. Still, his efforts are likely to meet with some skepticism: NOW and the ACLU haven't suddenly turned anti-abortion; they're just willing to resort to any tactic that will result in higher welfare payments.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Casual

Isle Be Damned

I know a guy who grew up in an Italian neighborhood in Providence where he played stickball daily with kids he'd known his whole life, went out for homemade ices with them at the end of the day, knew all the shopkeepers—the pickle man, the candy man, the hardware man—and grew roly-poly on his doting mother's two-hour pasta meals.

Now he's a surgeon. He lives in a five-bedroom house in one of the fanciest Washington suburbs. And he says, "You know, I had it rough, but—*thank!—God!*—I'm able to give my kids this kind of upbringing." You want to ask him why. His house is three miles from any store and across an eight-lane highway from the nearest park. There are no kids in the neighborhood for his kids to play with, so they spend their days slapping at computer video games or lying on their stomachs on the basement floor, chins in hands, two feet from a 45-inch (lucky them!) television screen.

I thought of this guy because several of my friends are picking their children up from summer camp this week. "My children are so lucky," they say. In other words: *I am so virtuous for sending my kids to camp.* Judging by my own experience, camp may be something you do for your kids when you've "arrived"—but it's not something you'd do for them if you'd arrived via camp yourself.

We lived north of Boston, and my parents subscribed to the local superstition that the summer ought to be an idyll of ocean activities. In fact, most summers *were* an idyll of ocean activities. Every morning I would climb the rocks with my friends, dive from cliffs, fish off the point, and cadge peanut-butter-and-jelly sandwiches from whichever friend's parents happened to be sunning there. This somehow was deemed insufficiently maritime, so in 1968 my parents got the bright idea of sending me to an "ocean day camp" called Children's Island.

We'd get dropped off with our orange life-preservers in a diesel-smelling bus lot in the middle of town and wait for the launch to arrive at the wharf. The launch was a low-gunwaled affair with benches. It lurched unpredictably and would fall off the crests of waves with a crash, soaking our clothes—and our lunchbags, so that my baloney sandwich would still be spongy with brine at noon. In the course of a 10-minute cruise, counselors would shepherd two or three sad 6-year-olds astern to throw up over the rail.

Children's Island was a useless, guano-covered rock that rose from the water a mile out into the Atlantic. Camp Dreyfus would have been a better name for it. It had been a tuberculosis asylum in the 19th century, and to look at the rotting-timber buildings where we congregated every morning, it had not catered to a very high class of lunger. The outbuildings were infested with pigeons and gulls. By night, bats took it over, and boozers evidently, for every morning the counselors—a dozen self-important 16-year-olds of both sexes—would clear out a jingling bagful of Narragansett beer cans before announcing the day's activities.

The "day's activities" meant archery, because the only patch of grass on the island, all hundred square feet of it, was given over to a target range. Miss a target and your arrow would sail into the Atlantic. Since we'd always run out of ammo by about 8:45 in the morning, the bored bigger kids soon came up with their own game: stealing the lunches of the smaller kids and throwing them off the cliffs to the gulls.

This was the open sea, with cold rollers slamming the bird-spattered cliffs; there was no swimming in the ocean, of course. (*If you want to swim in the ocean,* a put-out counselor once asked me, *what are you doing at ocean day camp?*) Anyone who wanted to swim had to use a dinky wading pool set up next to the archery range. The children used it to pee in. The counselors liked to talk up the wading pool, though, probably because it would allow *one* of them to corral *all* of us at the end of the island, while the rest of them went into the dune grass to make out.

In the part of Massachusetts I come from, a refreshing wind always rises in the late afternoon, chilling the hot sweat on your face. But on the 4 o'clock launch back from Children's Island, all it meant was that the waves grew menacing, so that by the time we hit the mainland half a dozen kids would have run to the back rail. At 6, children still say things like, "I want my mommy!" and even weep, snickering counselors notwithstanding.

And so, no sooner had the boat landed than dozens of kids were sprinting across the parking lot with their life jackets under their arms, as fast as their little legs could carry them, toward a line of mothers who stood by their station wagons beaming.

Beaming with satisfaction that they could give their children "ocean day camp" and all the other privileges they'd been denied.

Christopher Caldwell

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Responsibility and the Tobacco War

John E. Calfee concludes his article ("Why the War on Tobacco Will Fail," July 20) by calling for "an enduring sense of personal responsibility—among smokers, their families, and physicians." But not among tobacco executives.

Rejecting the principle that corporations should be held accountable for their actions and apparently having learned nothing from thousands of recently released internal documents from this rogue industry, Calfee instead endorses an extraordinary public policy: Trust Big Tobacco.

Well, that's what Milton Horowitz did. When the Lorillard Tobacco Company came out with a new, highly touted Micronite filter for its Kent cigarettes in the 1950s, Horowitz was one of its customers. Describing the filters as "completely harmless," Lorillard never informed Horowitz—or any of its other customers—that they contained crocidilite asbestos. Horowitz died from mesothelioma, a fatal form of lung cancer caused by exposure to asbestos. His surviving family members won a verdict of over $2 million in compensatory and punitive damages after a jury found that Lorillard and the filter maker had defrauded him.

Unlike Calfee, these jurors were willing to uphold the principle that wrongdoers, including corporate wrongdoers, should be held accountable for their actions.

Edward L. Sweda
Boston, MA

I agree with Dennis Prager that we need to do better at teaching moral and personal responsibility to our children and that smoking is one of the least of today's societal dysfunctions ("The Anti-Smoking Crusade," July 20). I was a cigarette smoker for many years, and advertising in print and on billboards was not my reason for starting.

As a pre-teen I wanted so much to be like my personal idol, my father, that I began "doing as he did rather than as he said." And I did it by purloining his, and Mother's, cigarettes. They didn't seem to know who was the last to remove a package from the ever-present cigarette carton in our house. It was easy, and I was more like Dad.

The message is that if you don't want your kids to smoke, you had better be an example to them. Especially if you are their hero.

Joseph St. John Michell
San Antonio, TX

Even More Diversity

Michael Greve dissects the shibboleths and clichés of "diversity" by which universities admit students according to the double standards of a color-coded, gender-conscious agenda

("The Vanity of Diversity," July 20). Academic bureaucrats are committed to employing faculty along the same lines.

Five years ago at California State University in Chico, President Manuel Esteban launched an illegal set-aside scheme to hire faculty by race and gender. His incoherent "Faculty Diversity Program" was abandoned in the face of widespread faculty criticism and public outrage. It became a regional lightning rod for opposition to faculty hiring preferences based on race, gender, or ethnicity and helped ignite the statewide campaign against preferences and quotas that resulted in the passage of Proposition 209.

These days, Esteban and his CSU counterparts refuse to state openly whether they rigorously enforce Proposition 209, now Article 1, Section 31 of the state constitution. In a garbled memo to his faculty, Esteban recently promised only to "comply with the spirit" of the new state regulation.

Campus quota promoters at middle-level universities like Chico State use endless ruses, dodges, and euphemisms to disguise their race-attentive, gender-conscious agenda of "diversity" at any price.

Charles Geshekter
California State University-Chico
Chico, CA

The Right to Death

Wesley J. Smith is a hypocrite. He labels Dr. Jack Kevorkian a "quack" because he has "no training or expertise in diagnosing or treating depression" ("The Serial Killer as Folk Hero," July 6/July 13). Yet Smith, who claims no medical training whatsoever, presumes to know not only that Kevorkian is wrong, but that he (Smith) knows what is best for everyone.

Smith is wrong. The most basic property right enjoyed by each person is the ownership of his body and his life. That ownership gives the individual the absolute right to dispose of his body or his life any way he chooses, so long as he doesn't infringe on the rights of others. Individuals may choose to cede ownership of their lives to church or state, but neither church nor state may simply arrogate those lives.

In other words, I have the right to terminate my life at any time and for any reason. I have the right to donate or sell my organs either before or after my death.

Kevorkian is not misleading anyone about his agenda. People seek him out because they choose to die, not because they are seeking psychiatric assistance or medical prognoses. Does Smith really believe Kevorkian's clients are too stupid to understand this?

While mutilation of a corpse makes for a sensational opening sentence, the truth is that mutilation of corpses is rather routine. I myself have done it, although it was described as "dissecting a cadaver." Many pathologists mutilate corpses regularly, although then it's called "an autopsy." And my own religion considers state-mandated em-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

balming a mutilation. So while I'd agree that Kevorkian's methods are unsavory and often repulsive, the only real issue is whether Joseph Tushkowski gave his consent to the removal of his kidneys, an issue Smith apparently considers too irrelevant to mention.

The problem is not Kevorkian. The problem is a paternalistic state that controls which persons may "legitimately" practice medicine, which procedures and drugs they may use, and even how much they may charge for their services. The problem is people like Smith, who would eliminate all choice, deny people the basic right to dispose of their lives as they choose, and prevent legitimate physicians from ending the suffering of their patients—thus driving desperate, suffering people into Kevorkian's arms. Few, if any, people would choose someone with Kevorkian's questionable ethics and bizarre ideas to preside over their deaths if they had any choice.

Clearly suicide and organ donation need to be informed and voluntary. But suicide also needs to be decriminalized. Persecution of already suicidal people, or of responsible physicians who choose to assist suicide, increases suffering but does little to stop actual suicides. Those people who choose suicide should be able to die surrounded by family and friends, utilizing the most humane techniques. And considering the desperate need for transplantable organs, suicidal persons who make their organs available should be applauded for doing so.

The ultimate horror of Jack Kevorkian is that misguided people like Smith have turned him into a "folk hero" by refusing to allow more responsible physicians to assist in suicide.

SARAH THOMPSON, M.D.
SANDY, UT

WESLEY J. SMITH RESPONDS: ***I appreciate Dr. Thompson's letter, if only because it places in such stark contrast the conflicting moral values and philosophical constructs that underlie the assisted-suicide debate. It seems to me that the question comes down essentially to this: Are we going to be a compassionate and loving community that cares enough about the lives of vulnerable, despairing, and medically defenseless people to protect their lives even from self-destruction—or are we going to devolve into a society based on noxious notions of radical individualism in which people are indifferent to one another's needs and owe a duty only to themselves?***

Western Civilization is as much about us-us, we-we, as it is I-I, me-me. We properly maximize individual freedom, to be sure. However, "choice" does not occur in a vacuum, but rather in the context of relationship and community. Society has the right to prevent harm to the corporate whole just as it does to individual citizens. Thus, we do not permit people to sell themselves into slavery—even if that is their "choice"—because slavery dehumanizes and demeans enslaved individuals while debasing and degrading the entire society. Similarly, we don't allow duels because it would cost individual lives while undermining the rule of law as the proper construct for the resolution of individual disputes.

Along these same lines, society properly and necessarily prohibits assisted suicide and euthanasia. Not only would legalization permit people to be killed because they are sick, disabled, and/or depressed—people who might, after all, change their minds about dying with appropriate suicide prevention, medical treatment, and emotional support—but it would unalterably rend the fabric of society by sending the pernicious message to such people that society views their lives as of so little value and of such a pronounced burden, that their killing is an acceptable, even desirable, act. Add in, as advocated by Dr. Thompson, the prospect of organ harvesting as an inducement, and the term "culture of death" takes on a new and terrifying meaning.

REDDER THAN RED

Robert D. Novak's reminder of I.F. Stone's support of ruthless Marxist dictatorships was welcome ("I.F. Stone: Red and Dead," June 22). Another aspect of Stone's undermining of democracy was his opposition to the Jewish state and his gross apologies for Arab dictatorships and terrorists. He urged an arms boycott against Israel because it was "a racist state" that persecuted Arabs. He compared the Arab refugee camps to Hitler's concentration camps. He supported the 1975 U.N. resolution condemning Zionism as racism and said he "understood" the motives of terrorist assaults against Israeli civilians, who after all were doing what Jewish terrorists did to the British in 1948. Not only was Stone a staunch supporter of such Stalinists as Ho Chi-Minh, he fully allied himself with those determined to put an end to Israel's existence.

MARVIN MAURER
WEST LONG BRANCH, NJ

THIRD-RAIL GRAB

David Frum, in "Grabbing the Third Rail" (June 22), remarks that the problem with the Social Security trust fund is that it consists of checks the government has written to itself. While Frum notes, accurately, that writing a check to yourself does not give you more money, it is also true that writing a check from one of your accounts and depositing it in another doesn't do it either. This is what his privatization scheme amounts to.

When a society decides to provide a minimum level of income for its elderly, it has decided to take money from people who are working and give it to people who are not. The money can be collected in taxes on the incomes of the working people, or it can be collected as profits in individual investment portfolios, but in either case the amount that has to be collected is roughly the same. If the economy is not producing enough surplus to support the old through Social Security taxes, it will not be producing enough surplus to support them through interest and dividends.

JOHN J. REILLY
JERSEY CITY, NJ

THE WEEKLY STANDARD
welcomes letters to the editor.
Letters will be edited for length and clarity and must include the writer's name, address, and phone number.
All letters should be addressed:
Correspondence Editor
THE WEEKLY STANDARD
1150 17th St., NW
Washington, DC 20036.
You may also fax letters: (202) 293-4901.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the weekly Standard

Contagious Corruption

Had Barbara Battalino not accepted responsibility for her crime, the Clinton Justice Department would surely have brought her to trial and pressed to have her convicted, then incarcerated for at least 10 months, as federal sentencing guidelines demand. But Battalino spared the government the trouble by entering a guilty plea this past April, which qualified her for a slightly reduced penalty. Slightly reduced, but hardly trivial. Last week, U.S. district judge Edward J. Lodge fined the former VA hospital physician $3,500 plus court costs and ordered her to serve a one-year term of probation—six months of it in home detention, her every movement monitored through an electronic bracelet. Announcing his decision from the bench, Judge Lodge noted that the case had already cost the defendant her professional career.

Obstruction of justice in connection with a scheme to give false testimony in a federal civil proceeding about a sexual impropriety—this was the charge against Barbara Battalino. (See our June 22 editorial, "Bill Clinton: This Precedent's for You," for all the details.) For her, it was a serious business.

And it should be just as serious a business—an even graver business, one would think—when the very same charge, based on a heap of unrebutted evidence, surrounds the president of the United States. Yet here all parallels between Bill Clinton and Barbara Battalino fall apart.

Clinton, for one thing, has never accepted responsibility for his dubious activities with respect to Monica Lewinsky. Offering nothing more than an unbelievable, all-purpose denial, he has refused to be held personally accountable. Declining multiple opportunities to explain the Lewinsky controversy to a grand jury, he has refused as well to be held legally accountable. And in so doing, Clinton has failed to fulfill his implicit, *constitutional* responsibility to remain always and individually forthcoming when doubts are raised about the integrity of the nation's executive authority. Quite the contrary, the president has compounded such doubts, by using dilatory and insubstantial assertions of testimonial "privilege" to shield his closest White House aides from criminal investigators.

Barbara Battalino, in other words, has behaved more honorably than Bill Clinton. She had an affair. She lied about it in court at first. But then she fessed up and agreed to pay the price of her dishonesty. She has behaved more honorably—and yet she has suffered the worse. And among the many reasons why is the fact that Battalino has faced a Justice Department determined to administer the law impartially. Clinton, alarmingly, has not.

Lately presented, in the Lewinsky matter, with a choice between their sworn, public duties and the private interests of their boss, Janet Reno and her deputies have sided with the boss. They have actively abetted the president's evasion of personal, legal, and constitutional responsibility.

Barbara Battalino was sentenced in Boise, Idaho, with Justice Department representatives from Washington standing satisfied watch, on Monday, July 20. Over the preceding four business days, however, to protect the president from the consequences of an *identical offense*, that same Justice Department had made no fewer than six separate attempts to block grand-jury testimony by Secret Service officers about Clinton and Monica Lewinsky. In each instance, the department's litigation, directed against independent counsel Kenneth Starr, was wholly illegitimate. The United States may not sue itself, and in the Lewinsky affair, the government is represented, under statute, exclusively by Starr.

But their lack of legal standing did not deter Janet Reno's attorneys. Nor did the fact that four federal judges—Norma Holloway Johnson of the district court in Washington and a three-judge panel of the D.C. Circuit Court of Appeals—had already dismissed as risible the Justice Department's basic argument: that the president will face "mortal jeopardy" unless a near-absolute bar is erected against Secret Service testimony about his words and deeds.

On Tuesday, July 14, Janet Reno filed a petition with the D.C. circuit asking the full court to hear the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Secret Service case again—and reverse its panel's earlier decision. When Kenneth Starr responded by issuing additional subpoenas to Clinton's bodyguards—for testimony scheduled two days later—the Justice Department asked Judge Johnson for a stay.

On Wednesday, July 15, not waiting for her ruling, Justice asked the circuit court for the same relief. Not waiting for *their* ruling, Justice filed a duplicate request with Chief Justice Rehnquist at the Supreme Court.

On Thursday morning, July 16, Judge Johnson ruled against the department. That afternoon, nine judges of the D.C. circuit unanimously rejected Reno's appeal. Whereupon the Justice Department sent Rehnquist a brand-new stay request—and a petition for full Supreme Court review of the "protective function privilege."

At noon on Friday, July 17, the chief justice brought this sorry, chaotic episode to a merciful close. He could not believe, he wrote, that a majority of his colleagues would eventually vote to enshrine such a previously unimagined Secret Service privilege into law. And so long as that privilege remained in doubt, Rehnquist pointed out, the president's personal safety could not be affected one way or another, whether or not Secret Service officers were allowed to give evidence to the Lewinsky grand jury. So Rehnquist did allow their testimony to proceed.

The chief justice's decision was informed to some degree, it turns out, by two "extraordinarily sensitive" documentary submissions from Kenneth Starr, one describing precisely what information the grand jury was seeking from Clinton's bodyguards—and why—and the other supporting suspicions that the administration was acting in bad faith by attempting to conceal that information. Those suspicions have already been partially borne out. One Secret Service officer has apparently told the grand jury that one day in April 1996 he found the president alone in the White House with Monica Lewinsky. Deposed under oath by Paula Jones's attorneys in January of this year, Clinton unmistakably suggested that no such private meeting had ever taken place.

And still the Justice Department persists; granted a chance, it will argue its "protective function privilege" nonsense before the Supreme Court this fall. Why such urgency and determination to pursue a device the only logical purpose of which can be to hide evidence implicating the president in a crime? "That matter is now under seal," Janet Reno claimed—inaccurately—last week, "so I can't discuss it."

And why, if he is innocent, has the president allowed this charade to continue? Bill Clinton supervises his executive-branch appointees, doesn't he? "I don't know if that's true or not," outgoing White House press secretary Mike McCurry responded last Tuesday. The Secret Service and its parent agency, the Treasury Department, have "very strong feelings" about the existence of the purported privilege, McCurry explained. And "I don't know," even if Clinton theoretically disagreed, "whether the Secretary of Treasury would have accepted that judgment." Robert Rubin's opinion might have been "sufficient to override any feelings that the president may or may not have had on the subject."

This is amazing news, indeed. The president's principal designated spokesman reveals that, in certain circumstances uncontemplated by the founders, the Treasury Department—and, by extension, every other executive-branch agency—has power to act against the president's wishes and beyond his effective control. The entire administration, in short, not just the White House proper, has now gone haywire. There are few things in this world, it seems, more contagious than Bill Clinton's corruption.

—David Tell, for the Editors

McCurrying Favor

by Andrew Ferguson

Shrinks like to speak of "Stockholm Syndrome," to denote that scary psychological condition in which captives begin to "bond"—another shrink term—with their kidnappers. It is seen, for example, among battered wives, whose love for the men who abuse them may only deepen with time. "Why, if you only *really knew* Tony," they will say to concerned friends and relatives, "you'd know he doesn't really mean it when he comes after me with a tire iron."

And sometimes Stockholm Syndrome develops as a mass phenomenon, as it has in the Washington press corps.

"I don't think you can get any better than Mike McCurry," said NBC's Andrea Mitchell last Thursday, shortly after the White House press secretary announced his resignation. "A case could be made that McCurry is the press secretary most respected in recent times among White House reporters," said the *Boston Globe*. "A steady and experienced hand," said

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Wolf Blitzer, CNN's firebreather. "Mike did one of the great jobs of all time," said *Time*'s Margaret Carlson. Howard Kurtz, the media reporter of the *Washington Post*, summed up: "Every White House reporter I've talked to, more than a couple dozen, say McCurry is the best press secretary of modern times." (Howard, didn't you talk to Margaret? Not of *modern* times. Of *all* time.)

These were not merely disinterested appraisals of one man's professional skill—pros judging another pro. They betokened genuine affection. The airwaves and newspapers swelled with hymns to the departing press secretary's wit, his candor, his affability, his charm, his humor, his wit, his . . . did we mention his wit? "McCurry Exit: A White House Wit's End," headlined the *Washington Post* on its front page, the day after the tragic news broke. Beneath the headline, the *Post* included a little box of "Memorable McCurryisms"—japes from the master. One example, from a McCurry briefing shortly after the Lewinsky scandal broke: "I'll refer you to my transcript yesterday, which referred to my transcript the day before."

Kent Lemon

Mike McCurry

The *Post*'s display of McCurryisms raises a couple of points. First, as examples of wit, they aren't terribly witty, and this is true even by the standards of people whose only exposure to humor is the monologues delivered by third-tier comedians at the annual White House Correspondents Dinner. Second, and what's even creepier, is that the McCurryisms distill perfectly McCurry's approach to his job, which was to keep reporters from doing theirs, while simultaneously impressing them with his candor, charm, affability, and—it goes without saying—wit.

In the White House press secretary's office over the years there have been connivers of low scruple (LBJ's Bill Moyers, for example) and there have been chumps (poor Ron Ziegler); there have been men of principle (Gerald ter Horst) and of genuine good will (Marlin Fitzwater). But all of them, to varying degrees, clung to the belief that their primary responsibility was to advance the flow of information from the government to the public through the press. None of them had McCurry's sophisticated grasp of the dynamics of press coverage—the strain of deadlines, the relative importance of different media outlets, the corrosive potential of competitive pressures, and the vanity of individual reporters—and none of them would have thought to use that knowledge, if they'd had it, to impede the ability of the press to tell the public what was going on at the White House.

McCurry knew, for example, that stories in newspapers carry less force than those on TV. And so when a TV reporter came to him for comment on a damaging story, he put her off, forcing her to miss her deadline, so he could safely leak the story to a newspaper, where it quietly died. He knew that lazy reporters hold good reporters in contempt. And so when Jeff Gerth of the *New York Times* pursued the hydra-headed scandal monster too diligently, McCurry raised questions about Gerth's mental health to complacent colleagues, who duly trashed Gerth's efforts in their own papers.

There were outright lies—recall, in a mild example, the fund-raising coffees that weren't fund-raisers—and there were lies of omission, and there was verbal sleight-of-hand when outright lies would backfire. He was the master of referring inconvenient questions to others (private lawyers, most often), who he knew wouldn't answer the questions either. He could bully a story out of existence, even though he knew it was true. And then after hours, off the record, he would play to a reporter's vanity, offering in confidence a wry critical comment about his boss the president, letting slip a privileged detail, dispensing some swatch of color to make each reporter think he had a story all his own, and that Mike was his friend.

How well did the strategy work? Here's how well it worked: When the final scandal blew, and the questions came hot and furious, McCurry publicly pledged to remain ignorant about the subject of the press's curiosity. And reporters took him at his word; they knew, for Mike had told them, that he loved the truth so much he didn't want to know what it was.

So much for the adversarial press, those ferocious bloodhounds engaged in a relentless, pitiless game of gotcha. McCurry knew how to tame them—knew how, in the end, to make them love him. The White House press corps works in a room the size of a monkey cage. Their comings and goings are severely restricted. Their diet of information is strictly rationed. It is a condition of utter dependence. Any shrink will tell

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

you that this is how you create Stockholm Syndrome.

Again: How well did it work? When McCurry announced his resignation, he quietly advised reporters, off the record of course, that his leavetaking was evidence that the White House had weathered the storm—that the Lewinsky scandal was now trickling into nothing. Why else would he leave? Now, an adversarial reporter might conclude the opposite: that McCurry was getting out just in time. But Mike's friends would never be so rude. Here's how well it worked, from the *New York Times*: "In a sign of growing confidence that it is weathering the Lewinsky investigation, Michael D. McCurry, who has used an agile wit and aggressive tactics to promote the Administration and defend it from scandal, will resign as press secretary this fall."

Mike McCurry must have smiled at that.

Andrew Ferguson is a senior editor of THE WEEKLY STANDARD.

THE GOP'S TAX-CUT WAR

by Fred Barnes

TAX CUTS ONCE PRODUCED UNITY among Republicans, but no longer. When GOP congressional leaders met in House speaker Newt Gingrich's office on the evening of July 22, talk of a large tax cut generated anger, frustration, and ill will. Bill Archer, the normally mild-mannered chairman of the House Ways and Means Committee, took on Sen. Pete Domenici, who chairs the Senate Budget Committee. "I don't believe what I'm hearing," Archer said. Domenici assures the press and public there's a balanced budget, Archer noted. But he tells us that we can't cut taxes because we don't really have a balanced budget. "Well, do we or don't we?" Archer demanded.

Meanwhile, House Republican whip Tom DeLay sparred with Senate majority leader Trent Lott and Sen. Phil Gramm, DeLay's fellow Texan and conservative pal. Lott chastised DeLay and House majority leader Dick Armey for getting on a "high horse." And Gingrich suggested House Republicans might retaliate if Senate Republicans don't go along with a tax cut.

Kent Lemon

Newt Gingrich

It's been three years since House and Senate Republican leaders fought so bitterly. In the early months of GOP control of Congress in 1995, several private meetings turned hostile. Then, too, the issue was a mammoth tax reduction that House Republicans passionately advocated and senators viewed with fear and skepticism. Eventually they compromised on a $240 billion cut that President Clinton later vetoed.

This time, common ground will be harder to find. The tax cut proposed by House Republicans is even bigger—nearly $700 billion over ten years—and Senate Republicans are wary in the extreme. Senators claim a cut so big has no chance of passing the Senate and can only land Republicans in political trouble. House GOP leaders want them to try for a major tax cut anyway. Gingrich has a strategy for pressuring them to do so: generate a public clamor for paring taxes. "The truth is," Gingrich says, "you move the Senate by moving the country."

Actually, moving the country may be easier. DeLay believes the House should approve the tax cut—to be financed out of the projected budget surplus of $1.6 trillion—before the congressional recess in August. That would drop it quickly in the Senate's lap and force action when Congress convenes again after Labor Day, whether Republican senators like it or not. Though sympathetic to this approach, Gingrich has decided against confrontation. Instead, House Republicans will be assigned to chat up the tax cut while at home during the recess. Their chief talking point? "If you leave the money in Washington, the liberals will spend it," Gingrich told the Fox News Channel. Gingrich thinks this sound bite is powerfully persuasive, and he may be right.

The impetus for renewed tax cutting was the Congressional Budget Office's revised estimate, issued

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

July 15, of the surplus over the next 10 years. Gingrich had lobbied CBO director June O'Neill aggressively in May and June to adopt "dynamic scoring." That means counting the positive effect that economic-policy changes, like tax cuts, have on growth. O'Neill hasn't exactly embraced Gingrich's idea, but, according to the speaker, "she's getting closer." Says Gingrich, "As a fellow Ph.D., I felt good that our conversations have led to a more accurate score." In fact, the CBO estimate was increased by $1 trillion over the figure in March. This floored even Gingrich. He'd expected a jump, but nothing like that.

Gingrich didn't hesitate. He summoned House Republican leaders to a meeting on July 16 at which John Kasich, the chairman of the House Budget Committee, gave a briefing on the new estimate. Then Gingrich huddled with Archer on July 19 and Kasich the next day. "The excitement continued to build," says a Gingrich aide. By late on July 20, Gingrich had the rough outlines of a tax cut that would end the marriage penalty and inheritance tax, trim the capital-gains rate from 20 percent to 15 percent, eliminate the earnings limit on Social Security recipients, and repeal Clinton's tax hike on Social Security benefits. At the same time, slightly more than half the surplus, or roughly $720 billion, would be earmarked for protecting Social Security. This would be done by paying off "loans" taken from the Social Security system. Absent these loans, the budget would never have reached balance in the first place. Rather, this year's deficit would have exceeded $135 billion.

Since last winter, Clinton has insisted any surplus be used to "save Social Security first"—by, in effect, beginning to pay back the borrowed funds. Both Gingrich and Lott agreed, and they sharply limited tax cuts in the 1999 budget. Thus, when Senate honchos gathered in Gingrich's office on July 22, they weren't prepared to change course suddenly and seek bigger tax cuts. In fact, they were united against such a move. Gingrich and other House Republican leaders were equally united in favor of it. Nasty quarreling ensued.

Gramm said Republicans shouldn't over-promise on taxes. He never promised his wife three houses and a car, only that he'd try to make her happy. DeLay shot back that Republicans could at least work hard in pursuit of their goals. "When you don't work and don't try, that's when people lose respect," he said. "I'll continue to fight for a tax cut whether you're with us or against. I'll fight for tax cuts until I die."

This didn't sit well with the Senate contingent. Bill Roth, chairman of the Senate Finance Committee, answered, "We can't just cut taxes on a whim." Days later, senators were still infuriated with DeLay and others. As for House Republicans, they were, as one aide said, "disgusted." They felt the senators were knuckling under to Clinton out of fear he'd blame them for robbing the Social Security fund.

Gingrich concedes a $700 billion tax cut won't be enacted. But Senate Republicans will come around by mid-September and back a scaled-down version. And "in the end, Clinton will switch. [The tax cut] may be

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

smaller by the time he signs it, but that's why you begin big." Gingrich may be wrong about this, but he figures that merely proposing tax cuts will aid Republicans in this fall's election. There's an issue vacuum in the campaign debate. Voters don't care about tobacco or campaign-finance reform, and Republicans have already neutralized the HMO-reform issue. That leaves tax cuts and Social Security.

Republicans—at least those in the House—want the surplus devoted partly to Social Security, partly to tax cuts. Democrats want to keep all $1.6 trillion in Washington, supposedly to prop up Social Security. Of course, not once during the 40 years they controlled Congress did Democrats do what they're proposing now, which makes their motives suspect. Still, they believe they can make Social Security the chief issue, and win. Republicans believe *they* can make tax cuts the chief issue—and win.

Come November, we'll know who's right.

Fred Barnes is executive editor of **THE WEEKLY STANDARD.**

SECONDHAND STATISTICS

by Jay Nordlinger

IN THE ANTI-TOBACCO CRUSADE, the number 3,000 is king. The most cherished statistic of that crusade is that 3,000 kids a day begin to smoke. The next most cherished statistic is that 3,000 non-smokers a year die of "secondhand smoke." These figures fly through the air like missiles, launched by politicians, regulators, and activists. But are they true?

The figure on secondhand smoke suffered a blow earlier this month when a federal judge ruled it a politically inspired fiction. He was deciding a case brought by the tobacco industry against the Environmental Protection Agency, which in 1993 declared secondhand smoke a "Class A carcinogen," responsible for those 3,000 deaths each year. On the strength of the EPA's report, municipalities took to the ramparts, forcing restaurants to close their smoking sections, demanding that offices banish their smoking employees to the sidewalk. Even "Dear Abby" sounded the alarm. She warned readers of her column that the EPA had rated secondhand smoke a danger "on a par with asbestos and radon," and that "one non-smoker dies of secondhand smoke for every eight smokers."

Judge William J. Osteen of North Carolina—tobacco country, his critics hurry to point out—was withering in his assessment of what the EPA had done. In a 92-page opinion, he faulted the agency for being "publicly committed to a conclusion before research had begun," for "violating procedural requirements," for "adjusting scientific norms to validate" a pre-ordained result, for "failing to disclose important findings and reasoning," and for installing a "de facto regulatory scheme" over the hated product, tobacco.

The Clinton administration, of course, was aghast. EPA administrator Carol Browner promised an immediate appeal, saying, "We believe the health risks to children and adults from breathing secondhand smoke are very real." But Donna Shalala, secretary of health and human services, expressed the most sincere objection to the judge's ruling, an objection that is primarily aesthetic and cultural: "No one wants to go back to smoking on airplanes, smoking in restaurants. No one wants to go back to polluting indoors." This is critically different from claiming a medical threat. As statistician David Murray puts it, "The science on secondhand smoke is not terribly good. Therefore, we ought to have the courage of our political choices, rather than pretend that the science compels us to do one thing or the other."

DONNA SHALALA OBJECTED THAT "NO ONE WANTS TO GO BACK TO SMOKING ON AIRPLANES." THIS IS DIFFERENT FROM CLAIMING A MEDICAL THREAT.

And what of the other 3,000—the number of kids per day who are said to embark on smoking careers? Politicians from President Clinton to Sen. John McCain hold this statistic over the heads of America, citing it as a national shame that requires drastic measures. The Campaign for Tobacco-free Kids has nothing but scorn for those who question the figure, asserting in its literature, "Everyone (except the tobacco companies) wishes it were not true, but it is." Former Food and Drug Administration honcho David Kessler reacted wearily when asked about the statistic at a congressional hearing last year. "You can always debate," he grumbled, but "it's been vetted

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

multiple times." Anti-tobacco warriors tend to treat any skepticism as either heresy or malice.

Disinterested scientists, however, are less dogmatic. The 3,000 figure on kids began life in 1989, when the *Journal of the American Medical Association* published "Trends in Cigarette Smoking in the United States." The authors found that "1 million new young persons per year are recruited to the ranks of regular smokers," the equivalent of "about 3,000 new smokers each day." But they were forthright as to the character of their sample: "For purposes of this analysis, only persons aged 20 years and older are included, as information was not collected on younger persons in any consistent fashion" during the relevant period.

Activists quickly seized on this study—construing broadly from the data—to trumpet an epidemic of underage smoking. A Springfield, Mass., group called Stop Teenage Addiction to Tobacco (or, aptly enough, STAT) touts itself as the first to have publicized the 3,000 number. In time, a slew of scientific and general-interest publications began to refer to the *JAMA* findings, making ever more expansive claims, growing ever more careless with language. The *Journal of School Health* stated that "more than 3,000 young persons, most of them children and teenagers, begin smoking each day." The federal government's *Public Health Reports* spoke of "children and adolescents." The *Western Journal of Medicine* lamented the daily addiction of "more than 3,000 children." Thus did young adults become "children," the word of choice today.

Asked about this apparent leap, John P. Pierce, a professor at the University of California, San Diego, and the principal author of the original *JAMA* study, says, "What people did was interpolate from our work." Those in his survey obviously did not acquire the habit on their 20th birthdays, but "at some point before that." Three thousand, Pierce acknowledges, has become "a magic number, a hot political potato." He is confident of the figure, maintaining that it has been amply documented since 1989, but he believes that "the number who are experimenting" is more significant. "We're going to be able to show that almost a standard proportion of those who experiment become addicted," he says. "And quite possibly, there's something biological about it."

In the war over tobacco, statistics will always be used as propaganda tools. The cigarette companies, needless to say, are master prevaricators, but their opponents can be equally sloppy with the facts. As David Murray observes, "Both sides are leading to the corrosion of science, deploying statistics to justify or rationalize their political agendas. So what gets trampled in the end? The legitimacy of the science itself."

***Jay Nordlinger is associate editor of* THE WEEKLY STANDARD.**

THE DISABILITIES LAW DISABLED

by Andrew Peyton Thomas

WHEN THE AMERICANS with Disabilities Act was passed in 1990, advocates for the law spoke of common-sense accommodations for the disabled, like wheelchair ramps and braille elevator buttons. Instead, the ADA has served a different social mission: highlighting the myriad of ways in which a litigious society can profitably eschew personal responsibility. Two decisions from the Supreme Court's latest term promise to spawn a new batch of such cases—and, in the process, to increase the pressure on Congress to finally rein in the ADA.

As expected, the high court held last month that the disabilities act applies to prisoners. The court ruled unanimously in *Pennsylvania Dept. of Corrections* v. *Yeskey* that the act was written so broadly that even inmates fall within its scope. Justice Antonin Scalia, writing for the majority, observed that "the statute's language unmistakably includes state prisons and prisoners within its coverage." The expansive language of Title II of the ADA "covers state institutions without any exception that could cast the coverage of prisons into doubt." Prisoners are notoriously litigious and have now been handed a powerful new tool with which to rattle their cages.

Ten days later, however, the court handed down an even more unsettling ruling in *Bragdon* v. *Abbott*. By a 5-4 majority, the court held that infection with the virus that can lead to AIDS qualifies as a disability. The court took up the claim of Sidney Abbott, an HIV-positive woman from Maine who was denied treatment by a dentist fearful of contracting the virus. The dentist, Randon Bragdon, offered to fill her cavity at a hospital, though the woman would have to pay for use of the hospital facilities. She

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

declined and instead sued Bragdon for wrongful discrimination under the ADA.

Writing for the majority, Justice Anthony Kennedy held that HIV infection qualifies as a disability under the act. The statute defines "disability" as "a physical or mental impairment that substantially limits one or more of the major life activities of such individual." The court ruled that because her HIV infection places a substantial limit on Abbott's ability to bear children, she is disabled.

In his dissent, Chief Justice William Rehnquist noted that there was no evidence that Abbott had ever even considered having children, or that she regarded reproduction as a "major life activity." For that matter, he added, reproduction "is not an activity at all, but a process." He explained: "One could be described as breathing, walking or performing manual tasks, but a human being (as opposed to a copier machine or a gremlin) would never be described as reproducing."

Kevin Chadwick

Yet easily the most ominous aspect of *Bragdon*—and the one that demands immediate congressional attention—is the court's willingness to interpret the disabilities act to mean that anyone in the workforce who declines to expose himself to potentially fatal, contagious disease such as HIV is guilty of illegal discrimination. The ADA does allow for the refusal to treat patients with a condition that "poses a direct threat to the health or safety of others." But on this issue of "direct threat," the First U.S. Circuit Court of Appeals stunningly granted summary judgment to Abbott. In practical terms, this meant that Bragdon faced no "significant risk" to his health or safety. Ordinarily, judges are extremely reluctant to grant summary judgment when there are any factual disputes that relate even remotely to the merits of the case.

And in *Bragdon*, there was certainly a material dispute over the "direct threat" of HIV. Mr. Bragdon had offered to the court a 1994 study by the federal government's Centers for Disease Control and Prevention that identified seven instances of possible transmission of HIV from patients to dental workers. He also adduced evidence of 42 documented incidents of occupational transmission of HIV to health-care workers other than dental professionals. Nonetheless, in an ideologically charged ruling, the First Circuit held that there was not enough evidence of a "direct threat" to Bragdon's health for him to avoid summary judgment.

The Supreme Court did not go quite so far. It questioned some of the evidence the First Circuit had relied on in granting Abbott summary judgment, and told the appeals court to reconsider the evidence. But the high court offered Bragdon little hope of prevailing. Referring to the evidence cited by Bragdon, including the Centers for Disease Control study, the majority opined, "Standing alone, we doubt [this evidence] would meet the objective, scientific basis for finding a significant risk to the petitioner."

In a dissent joined by Justices O'Connor, Scalia, and Thomas, Rehnquist took strong exception to the granting of summary judgment on the "direct threat" issue. "Given the 'severity of the risk' involved here, i.e. near certain death, and the fact that no public health authority had outlined a protocol for eliminating this risk in the context of routine dental treatment, it seems likely that petitioner can establish that it was objectively reasonable for him to conclude that treating respondent in his office posed a 'direct threat' to his safety."

With its *Bragdon* ruling, the Supreme Court has signaled that it believes the ADA makes it a federal offense for health-care workers—and conceivably other classes of workers—to refuse to expose themselves to contagious, life-threatening diseases in the course of their employment. And while *Bragdon* is a product of judicial activism, the bulk of the blame for the ADA and its stream of follies lies with Congress. Since its passage in 1990, both the Bush and Clinton administrations have promulgated federal rules that extend the ADA to cover a vast array of behavior and disorders.

The *Bragdon* court in fact relied on some of these regulations in interpreting the disabilities act as applying to the HIV-positive. Congress, for its part, has amended the ADA only twice in the act's eight-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

year life. Both times, the amendments expanded its coverage.

Unlike the Supreme Court's interpretations of the Constitution, its interpretations of the ADA can be overturned with a simple majority vote by both houses of Congress. It thus becomes increasingly difficult for Republican congressional leaders to justify continued indifference to the ADA's transmogrification. Curbing an act that has grown to serve the interests of trial lawyers, prisoners, and gay-rights activists rather than those of the average disabled citizen should not require exceptional amounts of political courage from a Republican Congress.

Andrew Peyton Thomas is an attorney living in Phoenix.

A Preventable Murder

by Daniel McKivergan

Alexandria, Va.

In early July, Walter Reed, 39, was indicted for first-degree murder by a grand jury in Alexandria, Va. His trial is set for September 15. Besides two small articles in the *Washington Post*, little has been written about the case. I'm aware of it because I knew the victim.

Every weekday morning, as they headed to their babysitter, Antoinette Goode, 29, and her two children, Dajuan, 6, and Tyesha, 3, walked by my townhouse. They would be holding hands, and the kids would be clutching toys. They were usually cheerful. Things were looking up for Antoinette. She had graduated from a welfare-to-work program and was employed in the director's office at the U.S. government's Office of Personnel Management downtown.

When I went home on Friday, May 22, I saw yellow police tape cordoning off my street. Behind the tape were toys on the ground and a pool of blood. Antoinette Goode had been stabbed to death in front of her children by Reed, her ex-boyfriend and the children's father.

On Thursday morning, the day before her murder, Antoinette had walked into the Alexandria Juvenile and Domestic Relations Court to seek a protective order against Reed, who had a criminal record and a history of spousal abuse. The day before that, Reed's brother and sister-in-law had phoned Antoinette twice. They were worried because Reed "was saying a lot of crazy things," a cousin, Keisha Eaton, told me. They told Antoinette that he "might try to hurt her and the children, so she better watch her back."

But when Antoinette told her story at the courthouse, a court worker refused to pass her request on to a judge. No protective order could be granted, Antoinette was told, because the threats were reported by a third party, and it had been over a year since Reed had threatened her directly. Dorian Green, spokesman for the Virginia Department of Juvenile Justice, told the *Washington Post* that the court worker's decision "followed the rules and procedures" under the state's domestic-violence laws.

Back in October 1996, Antoinette did secure a protective order, when she told a judge that Reed had threatened to stab her over who would pay for diapers. In addition, Keisha Eaton told me that from time to time Reed would "hit her, push her on the ground, kick her, you name it. . . . He would show up at her babysitter's house. He would show up at her job." In the last year, added Eaton, Antoinette "was spending the night at my house, and he came there trying to start trouble. . . . He was stalking her."

At the time of her death, Antoinette was seeking to end Reed's visits with the children. A hearing on the matter had been scheduled for mid-June. She believed Reed smoked marijuana in front of the kids and forgot to give Dajuan his medicine for sickle-cell anemia. On the Wednesday before her murder, Eaton reported, Antoinette was worried when Dajuan told her: "Daddy said you don't love me anymore and I'm a bad boy" and "[Daddy] wanted to kill himself."

Reed's violent past was documented in readily available court files. You would think Antoinette could have been allowed to make her case directly to a judge. At the very least, couldn't the police have been dispatched to talk to Reed? Says Eaton, "It's not fair, the way they turned her away."

Now, Antoinette's father is taking care of the children. Her family and friends are looking for ways to secure better protection for people like her so "no one else will have to go through the horror we've been through," says Antoinette's aunt, Virginia Courtney. They are hoping to collect 10,000 signatures on a petition for changing the law. What they want is to make room for common sense.

Daniel McKivergan is policy director for the Philanthropy Roundtable in Washington, D.C.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Crisis of Manliness

By Waller R. Newell

Fatherhood and manliness have always been closely connected, not only because fathering a child is a palpable proof of manhood, but also because fathers are supposed to provide their sons with a model of what to become. And yet, as a culture, we have never been more conflicted about what we mean by manhood.

In the recent Gen-X novel by Chuck Palahniuk, *Fight Club*, a group of men in their twenties, stuck in jobs as office temps and couriers, relieve their boredom by meeting in the basement of a bar after hours and beating one another senseless. Sometimes they show up for work with black eyes and stitches as a warrior's badge of honor. Aside from their jobs—white-collar, but holding out no clear career prospects—what these young men have in common is that they are under-fathered, the product of divorce and of fathers who had no time for them. "I'm a 30 year old boy," says the novel's protagonist. "I knew my dad for about six years, but I don't remember anything. . . . What you see at fight club is a generation of men raised by women."

In the absence of a clear idea from their distant, distracted fathers of what it means to be a man, these frustrated youths react against their antiseptic jobs by reverting to the crudest "macho" violence. The club's founder, Tyler, progresses from consenting violence among buddies to murder, a slacker Raskolnikov. The novel is chillingly insightful about the unmapped psyche of young males in the nineties.

Given these signals from the culture, confirmed every day by real acts of mayhem, some hold that we should try to get rid of manliness altogether and make more rigorous efforts to create a genderless personality free of male violence. The recent horrific shooting in the Arkansas schoolyard, with little-boy killers waiting in their army fatigues to ambush their classmates and teachers, might suggest that they are right. Add to this the fact that the majority of violent crimes are committed by young men between the ages of 15 and 25, and there seems good reason for discouraging male children from embracing any notion of manly pride.

But it is not so simple. The last 30 years have witnessed a prolonged effort at social engineering throughout our public and educational institutions. Its purpose is to eradicate any psychological and emotional differences between men and women, on the grounds that any concept of manliness inevitably leads to arrogance and violence towards women and to rigid hierarchies that exclude the marginalized and powerless. This experiment was meant to reduce violence and tensions between the sexes. And yet, during this same period, "macho" violence and stress between men and women may well have increased. Recent crime statistics suggest as much in the United States, Canada, and the United Kingdom—the countries where the feminist social experiment stigmatizing manliness has had the greatest latitude to prove itself.

As the recent book by Barbara Dafoe Whitehead confirmed, absent fathers are one of the strongest predictors of violence among young men in the United States, at least as important as poverty, lack of education, or minority status. The ease with which men of my baby-boomer generation have abdicated our roles as fathers is undoubtedly connected with feminism and the sexual revolution of the 1960s. Boomers were told that we shouldn't be hung up about providing masculine role models for children and should do whatever made us happiest, including escape an unsatisfying marriage. After all, to hold things together for the sake of the children would restrict both men and women to old-fashioned "patriarchal" responsibilities. The results of this hard, bright credo of selfishness are today's under-fathered young men, many of them from broken homes, prone to identify their maleness with aggression because they have no better model to go by.

This generation's experience is summed up in a brilliant, pathetic scene from Atom Egoyan's film *Family Viewing*. The central character, a teenaged boy, drifts in and out of his divorced father's house. The father is totally preoccupied with his relationship with a younger woman. The boy's only solid human contact

Waller R. Newell is professor of political science and philosophy at Carleton University in Ottawa, Canada.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

is with his dying grandmother, shunted to a nursing home lest she spoil the father's swinging lifestyle. One day the boy digs out some family videos. At first, he sees a backyard barbecue with happy children and his parents when they were still together. Suddenly, the film jumps to the father and his new girlfriend having sex. The father simply taped over the family movies, literally erasing his son's connection with the only secure part of his childhood.

It seems plain enough that we are missing the boat about manliness; for there are forms of pride and honor that would be good to impart to young males. Indeed, manly honor, and shame at failing to live up to it, are the surest means of promoting respect for women. Equally, manly anger and combativeness can provide energy for a just cause. Horrified as we are by the cult of warrior violence in the Balkans or Rwanda, we may have gone too far toward the opposite extreme in the Western democracies. As Michael Kelly recently observed, "There are fewer and fewer people, and they are older and older people, who accept what every 12-year-old in Bihac knows: that there are some things worth dying and killing for." Abolitionism in the ante-bellum United States, the Allies' defeat of Nazi Germany, and the civil-rights movement of the '60s would never have succeeded without the legitimate expression of anger against injustice. The point is not to eradicate honor and pride from the male character, but to re-channel those energies from the nihilistic violence of *Fight Club* or the Arkansas schoolyard to some constructive moral purpose.

Kerry P. Talbott

To do this, we must recover a sense of what it means to be manly—honorable, brave, self-restrained, zealous in behalf of a good cause, with feelings of delicacy and respect toward loved ones. For if young men are cut off from this positive tradition of manly pride, their manliness will reemerge in crude and retrograde forms. Some 30 years ago, the Rolling Stones recorded a misogynist rant called "Under My Thumb." Today, it is one of the songs that fans most frequently request of these aging shamans of adolescent attitudinizing. In three decades, tension between men and women not only has not disappeared but may actually have intensified, and we must wonder whether the experiment in social engineering itself is one reason why.

For hostility towards women is an aberration of male behavior. If, as the prevailing orthodoxy contends, the male gender were intrinsically aggressive, hegemonic, and intolerant, then by definition male behavior could never improve. The message young males receive from feminist reasoning is not, You should be ashamed of liking "Under My Thumb," but, That's the way your gender thinks about women.

So the first step toward a sensible debate about manly pride is to rescue the positive tradition of manliness from three decades of stereotyping that conflates masculinity with violence, hegemony, and aggression. We have to recognize that men and women are moral equals, that decent and worthy men have always known this, and that, while men and women share the most important human virtues, vices, and aptitudes, they also have psychological traits that incline them toward some different activities.

According to the regnant orthodoxy, men and women should have exactly the same kinds of capacities and ambitions. They should be equally interested in becoming tycoons, winning battles, driving tractors, and nurturing children. But this is not reality. In general, men don't want to work in day-care centers or teach kindergarten, and women don't want to be truck drivers or join the military. Moreover, women are far more likely than men to leave successful jobs to devote time to families, and women under 30 are more eager for lasting marriages and numerous children than women of their parents' generation (doubtless yearning for what their parents denied them). We should recognize at last that, as long as women are guaranteed an equal opportunity to pursue whatever occupation they want, it does not matter that men and women on the whole still choose different vocations. Remaining injustices should be addressed by procedural liberalism, which has always brought

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the most solid progress. We should stop trying to re-engineer the human soul to prevent boys from being boyish, while encouraging all forms of self-expression in girls.

All that 30 years of behavioral conditioning has done is drive maleness underground and distort it by severing it from traditional sources of masculine restraint and civility. The gurus of sensitivity have tried to convince men to become open, fluid, non-hegemonic, and genderless beings who are unafraid to cry. But little boys still want to play war and shoot up the living room with plastic howitzers, and we can't give them all Ritalin. Psychologists have begun to express concern about our educational institutions' readiness to pathologize what once would have been regarded as boyish high spirits—rough-housing, "hating" girls, locker-room language—and to treat ordinary immaturity with powerful drugs.

Again, the point is to channel these energies into the development of character. Boys and young men still want to be heroes, and the way to educate them to treat girls and women with respect is to appeal to their heroism, not to try to blot it out. Look at those kids performing daring flips on their skateboards, or sailing on their Rollerblades into the heaviest downtown traffic like warriors contemptuous of danger. They are almost always males. Look at that squeegee kid with his shaved head and horsehair plume, decked out like some road-warrior Achilles. Walk into one of those high-voltage computer emporiums, selling our century's most potent icon for the extension of human mastery over the cosmos. Who are the salesmen? Almost always cocky young men, celebrities-in-waiting in dark suits and moussed hair, hooked on the sheer power of it all.

Channel surf on your television late at night and sample the rock videos. Nearly all the bands in those rock videos are male, snarling or plaintive over the world's confusions and their erotic frustrations, oozing belligerence alternating with Byronic alienation and a puppyish longing for attention. Their names (Goo Goo Dolls) and attitudes (the lead singer of Radiohead is wheeled around a supermarket in a giant shopping cart curled up like an overgrown 5-year-old) combine an infantile longing to return to childhood with in-your-face suspicion and distrust.

And what else would one expect, since so many of the families into which they were born ended in divorce? By denying and repressing their natural inclination to manliness, we run the risk of abandoning them to such infantile posturing. When they pierce their bodies, it is because they want to experience moral and erotic constraint. Having failed to find an authority they can respect, someone to guide them from boyish impetuosity to a mature and manly vigor of judgment, they confuse authority with oppression. Still, cast adrift in a world without any limitations, they want there to be a price to pay for their hedonism. Since no one will lead them back to the great ethical and religious traditions that set these limits on the highest intellectual and spiritual level, they pierce their bodies in a crude simulacrum of traditional restraint. And, in that, they reveal not only the wondrous capacity of spirited young people to see through the aridity of the governing orthodoxies but also the potential for an ennobling transformation.

LOOK AT THAT SQUEEGEE KID WITH THE SHAVED HEAD AND HORSEHAIR PLUME, DECKED OUT LIKE SOME URBAN ACHILLES. BOYS AND YOUNG MEN STILL WANT TO BE HEROES.

It is precisely in a traditional understanding of manly pride and honor that we will find the only sure basis for respect between men and women. The best way of convincing young men to treat women with respect is to educate them in the traditional virtues, which make it a disgrace to treat anyone basely, dishonestly, or exploitatively. Moreover, the surest way of raising young men to treat young women as friends rather than as objects for sexual exploitation is to appeal to their natural longing to be honored and esteemed by the young women to whom they are attracted. When our erotic attraction to another is properly directed, it leads us to cultivate the virtues of moderation, honesty, gratitude, and compassion that make us worthy of love in the eyes of the beloved. We try to be virtuous because we want to be worthy of being loved.

One thing is sure: Given our current confusion over the meaning of manliness, we have nothing to lose by re-opening the issue. If academic feminism is correct that violence toward women stems from traditional patriarchal attitudes, our grandparents' lives must have been a hell of aggression and fear. Yet, if anything impresses us about our forebears, judging from their lives, letters, and diaries, it is the refinement of their affections for one another—and of men's esteem for women in particular. Perhaps we cannot return to that world. But boys and young men today need re-introducing to this tradition of manly civility.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Despite recent caricatures of the Western tradition as one long justification for the oppression of women, our greatest poets and thinkers from Homer to Rousseau have explored the delicate interplay of love and self-perfection. In Homer's *Odyssey*,Telemachus, son of the great war hero Odysseus, embarks on a journey to find his missing father and thereby save his mother from the oppressive noblemen who want her to give up her husband for dead and marry one of them. As he searches for his father in an adventure parallel to Odysseus' own search for a way home to his long-lost wife and child, Telemachus is educated by his adventures and grows from a boy into a man, guided by the wise goddess Athena, who is also his father's best friend among the gods. Telemachus' search for his missing father, guided by the goddess, in effect provides him with the upbringing that Odysseus was not able to give him, although he still inspires it from afar because the boy learns during his travels of his father's exploits and wants to prove himself the hero's worthy son.

When I depict Telemachus as a boy from a broken home, forced at a too-early age to be his mother's protector from oppressive men, who has to bring himself up in a way that he hopes his absent father would be proud of, the young men in my undergraduate classes tend to become very quiet and reflective. They are Telemachus. ♦

The Men Who Run Russia

By David Aikman

Moscow

Leaving Sheremetyevo Airport for the trip into Moscow, the visitor gains a first insight into the current Russian scene. The driver—if he was hired through one of the official airport tourism companies—points out bitterly the desirable spots close to the airport arrivals area where his unlicensed competitors illegally park. Their favored position, he snorts, is a result of their connections with "the mafia." People bribe the police, he grumbles, so gypsy cab operations go on unimpeded. "Everything here is 'under the roof,'" he says, using the slang for "protected by organized crime." "It's like a state within a state."

Actually, Russia is in worse shape than that. It's more like a state within a bank—or several banks. To put it bluntly, since the election of Boris Yeltsin in 1996, Russia has been run by a seemingly all-powerful oligarchy of bankers and financiers whose acquiescence in government decisions is increasingly necessary for the government to operate. When in mid-June the IMF demanded tough budget cuts as a prerequisite for making available to Russia another $670 million slice of a $9.2 billion IMF loan package, the young prime minister Sergei Kiriyenko didn't call in top economists for advice. Instead, he summoned Russia's financial oligarchs and met with them twice in three days. What did they suggest to help get the country out of its dire economic straits? One response to his inquiry: Set up a semi-permanent Council on Economic Cooperation consisting of themselves—the oligarchs—to advise the government of what they want it to do.

If such a council ever came into being, it would only institutionalize what almost all Russians and many foreigners now recognize as the country's greatest source of weakness—even of potential national calamity—since Russia broke off the shackles of communism back in 1991. In effect, it would crown with legal standing the emergence of a small group of ultra-rich businessmen who pillaged the country during the privatization process and have used their economic power to manipulate both public opinion, through the media they own, and the entire political process. Andrei Piontkovsky, a columnist for the English-language daily *Moscow Times*, derided the proposed oligarchs' council as "not even a parallel shadow government, but a type of Politburo of the Oligarchic Party of the Russian Federation."

The first to apply the word "oligarchy" to the

David Aikman, a senior fellow at the Ethics and Public Policy Center in Washington, D.C., is a veteran foreign correspondent.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ultra-rich capitalists who have taken over Russia was Alexander Solzhenitsyn, in a speech to the Russian parliament in 1994. The Russian media sometimes speak of *semibankirshchina*, "rule of the seven bankers," an unflattering allusion to the *semiboyarshchina*, the brutal rule of aristocratic officials and landowners during a period of national weakness in the 17th century.

These days, such analogies are commonplace. In early June, as the Russian stock market collapsed and interest rates rose to a stratospheric 150 percent, the IMF's managing director Michel Camdessus warned of the "dangerous similarities" between the Russian government's relationship to the oligarchy and the South Korean government's relationship to the *chaebols*, largely family-controlled conglomerates whose crony-capitalist habits helped precipitate the collapse of the South Korean economy last year. Some Russian analysts actually thought the *chaebol* reference unfair to the Koreans. "Where are the industries and technologies created by [the Russian oligarchs]," asked one, "or the highways and scientific cities built by them?"

Kevin Chadwick

Boris Berezovsky

Where indeed? As the IMF prepared to negotiate the stringent conditions that Russia would have to meet to receive the next installment of its loan, few Russians or foreigners doing business there had any illusions about where the government's vanishing funds had gone: Much has been ferreted away in foreign bank accounts, largely for the benefit of the notorious *semibankirshchina*. Literally billions of dollars lent to Russia from abroad or raised by the government in taxes for various infrastructure purposes have disappeared without a trace. In one of the most blatant cases of robbery of the public purse, of some 14 billion rubles ($2.3 billion) allocated by Moscow for the reconstruction of Chechnya, just over half was very sloppily accounted for and the rest had disappeared without a trace when Russia's Chamber of Accounts conducted an audit. Of course, the oligarchs can hardly be held responsible for every act of thievery from the state. But the super-rich certainly set the pace. One of the Western European cities where Russian is most commonly heard these days is Zurich, headquarters of Swiss banking.

The new oligarchy came into being during the Wild West phase of Russian capitalism—the dying days of Gorbachev's *perestroika* in the late 1980s and the first few years of Yeltsin's privatization of the early '90s. In this period, when private property had no clear legal standing, business regulations were in flux, and no one knew how to divide up the ramshackle Soviet economy, energetic entrepreneurs flourished. Some of them formed small private companies, then teamed up with large state ventures undergoing privatization through a carelessly planned voucher scheme, under which state managers were able to transfer vast state assets into private hands without oversight or regulation. Other entrepreneurs persuaded several different companies to lend sums of money to create a new holding company that was powerful enough to gobble up smaller competitors and monopolize huge sections of the economy. Some have compared this to the reign of the robber barons in late 19th-century America—minus a trust-busting president and the safeguards of an already century-old democratic system.

Once today's oligarchs had emerged from obscurity and secured vast fortunes, they quickly co-opted key figures in Russian officialdom, including elected politicians, and thus could protect their wealth and power from challenge. Today, there is probably not a senior figure in Russia's government who does not owe at least part of his financial standing or electoral success to members of the oligarchy. Late in 1996, after Yeltsin's surprising victory in that year's presidential race, possibly the richest and certainly the most prominent and feared of Russia's oligarchs, Boris

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Berezovsky, crowed: "We hired Anatoly Chubais [Russia's former privatization czar]. We paid an enormous amount for Boris Yeltsin's election. Now we have the right to enjoy the fruits of our victory."

Berezovsky declared a salary of $43,000 in 1997, but his personal assets are close to $2 billion. A generous man, he was named "Philanthropist of the Year" in 1996 for giving away $3 million. His rise was in some respects atypical. For many years Berezovsky was a respected mathematician attached to Russia's Academy of Sciences. Then in 1989 he founded a private car dealership that quickly amassed millions. At the time, organized crime was notoriously active in Russian auto dealerships; what with the perennial shortage of vehicles and the requirement that customers hand over the entire purchase price in cash (Russia still has virtually no consumer banking) months before delivery, opportunities for corruption were abundant. By 1996, *Forbes* magazine could assert that Berezovsky's success was due to his gangland connections. The magnate promptly sued *Forbes*. But he could hardly explain away such highly suggestive facts as the attempt on his life in a professionally organized car-bomb attack that decapitated his chauffeur. Like the other oligarchs, he lives surrounded by a retinue of armed guards.

Eventually, as his empire grew, Berezovsky established the financial-industrial group LogoVAZ, which acquired huge holdings in the oil, media, and banking sectors. His political involvement also deepened, notably in early 1996, when he and the other oligarchs teamed up to pour money and organizational skills into Boris Yeltsin's lagging presidential reelection campaign. Berezovsky was well equipped for the role of kingmaker. Insatiable for power, he had acquired part ownership of the influential ORT television channel, the respected daily *Nezavisimaya Gazeta*, and the satire magazine *Ogonyok*, a holdover from Soviet days. After the election, Berezovsky bragged of his role in reelecting Yeltsin and claimed that he and the other six oligarchs of the *semibankirshchina* now owned more than half the Russian economy. No one contested the assertion. "I think that if something is advantageous to capital, it goes without saying it's advantageous to the nation," gloated Berezovsky.

His reward from Yeltsin was swift: In 1996 he was named deputy chief of the Kremlin Security Council. Soon he showed almost Rasputin-like skill at advancing himself at the presidential court. He became financial adviser and friend to Yeltsin's most politically savvy daughter, Tatyana Dyachenko, and to the presidential chief of staff, Valentin Yumashev. Inevitably, though, he overplayed his hand. In 1997, LogoVAZ lost out to a rival in a bid for 25 percent of Svyazinvest, the national communications conglomerate. It was the biggest auction of state property to that point, and Berezovsky's star fell. His public posturing and complaining finally angered even Yeltsin, and he was pushed out of the Kremlin Security Council in November 1997. Nevertheless, he stayed afloat. His political connections included then prime minister

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Victor Chernomyrdin and, improbably, liberal economic reformer Yegor Gaidar. To add to Berezovsky's reputation as a Machiavellian manipulator, he was rumored to have financed the successful run for governor of Krasnoyarsk of the gruff and tough Gen. Alexander Lebed in May 1998. Of Berezovsky, an American businessman in Moscow commented coldly, "He is a very sinister man."

The seven original oligarchs—the others sometimes bitter rivals of Berezovsky, sometimes close collaborators—have all followed similar paths from obscurity, through skillful cross-ownership alliances, to control of enormous financial and industrial assets. In each of the other six cases, however, the key to success has been banking and the financing of a cash-strapped Russian government.

Vladimir Potanin, who beat out Berezovsky in the Svyazinvest auction, controls Russia's largest bank, Oneximbank, through one of the country's largest petroleum companies, Sidanco, and the Norilsk Nickel company, largest corporate supplier of nickel in the world. Potanin also controls the newspapers *Izvestiya* and *Komsomolskaya Pravda*. The other five of the original oligarchs are Mikhail Khodorkovsky, chairman of Bank Menatep; Vladimir Gusinsky, chairman of Most-Bank; Alexander Smolensky, chairman of SBS-Agro Bank; Mikhail Fridman, chairman of Alfa-Bank; and Vagit Alekperov, chairman of LUKoil. Those vying with Berezovsky in the field of media include Gusinsky, who controls the daily newspaper *Segodnya* and the slick newsweekly *Itogi*, and Alekperov, who shares control of *Izvestiya* with Potanin.

Also sometimes named now as full-fledged oligarchs are three other men: Rem Vyakhirev, chairman of Russia's largest energy conglomerate, Gazprom; Vitaly Malkin of the Rossiiskii Kredit Bank; and Vladimir Bogdanov, chairman of the unpronounceable energy corporation Surgutneftegaz. The newest addition to the oligarchs' club is none other than Anatoly Chubais. Repeatedly hired and fired from successive Yeltsin governments, Chubais made the best soft-landing of any former minister, heading up a new Russian commercial entity called the Unified Energy System.

It was Potanin's Oneximbank that came up with the cash-for-shares scheme the oligarchs used to grab so much of the national wealth for themselves. In 1995, the Yeltsin government, desperate to meet its enormous payroll and cover other expenses, agreed to give huge chunks of state-owned industries and other assets, in the form of shares, to financial-industrial groups that would lend it cash. Behind the scenes, in advance of what were officially public competitions with sealed bids, the oligarchs would agree among themselves which of them would make the winning bid, allowing the rest to submit low bids and walk away. That ended with the bitterly contested Svyazinvest deal. The government, embarrassed by financial scandals, had come under increasing pressure from inside and outside the country to conduct a fair bidding process for state assets being privatized. And Potanin, breaking ranks with the other oligarchs, went along. His secret tender for Svyazinvest turned out to be the highest offer. Berezovsky was enraged.

HALF OF RUSSIA'S 256 LARGEST BANKS WERE LINKED TO ORGANIZED CRIME THROUGH EXTORTION SCHEMES OR MONEY LAUNDERING.

If Russia's banking system were in any sense orderly and regulated, the domination of the banking industry by a handful of super-powerful entities might be worrisome, but it wouldn't necessarily be disastrous. Some 50 very big banks, however, have been authorized to act as financial agents and payroll conduits for major government departments, as well as for local and regional authorities of the Russian Federation. Many of them are in the habit of speculating wildly with the public funds under their control. Data provided by the FBI to the Center for Strategic and International Studies in Washington, D.C., and confirmed by Russian law-enforcement sources for a 1997 report showed that half of the country's 256 largest banks were linked to organized crime through extortion schemes and money laundering. In effect, under the leadership of the oligarchs, Russian entrepreneurs have turned into plunderers of the national wealth. Some American business observers believe that this development is not entirely harmful. Sighed one, a Moscow resident: "Nobody likes vultures, but they serve a useful purpose in the food chain. They are inevitable."

Be that as it may, one of the consequences of the oligarchs' activities has been a decline in freedom of the press. Several Russian reporters eagerly joined in the boost-Yeltsin effort of Berezovsky and others during the crucial 1996 election because they feared that press freedom would vanish altogether if his principal challenger, the Communist Gennady Zyuganov, won. Now many sense that they made a Faustian bargain.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Though the Russian media are not centrally controlled, as they were under the Communists, all major media outlets depend on the financial support of the oligarchs, and this has stifled the once-vigorous reporting of the post-Communist press. It is possible to find out what is happening in Russia by reading half a dozen or more papers every day, but no single one of them can be relied on for consistent, independent coverage of the news.

How long will the oligarchs rule? For that matter, how long will Russia's infant democracy survive? "Russia," commented financier George Soros last year, "is like a canoe in which seven men are fighting over a hoard of gold. They are too absorbed by this to recognize that they are heading towards a waterfall."

That approaching catastrophe is a total implosion of the Russian economy, with political consequences that are entirely unforeseeable but almost certainly unpleasant for the rest of the world. It has been estimated that the federal government of Russia last year actually took in only half of the tax payments owed it. As of May 1, the energy giant Gazprom alone owed the government over $800 million, according to Benyamin Sokolov, chief of the Russian equivalent of the U.S. General Accounting Office. About one-third of the national budget goes to paying off a foreign debt that keeps mounting. As to living standards, some 31 million people live below the official poverty line of 432 rubles a month (about $72). Many Russians avoid starvation only by eating the potatoes and cabbages they grow on tiny private plots.

Since the fall of the Soviet Union, Russia's workers and professionals have endured years of unpaid wages and seriously declining health standards. Some economists believe the country's gross domestic product has shrunk by over 40 percent. If the people have not yet risen up against the Yeltsin regime, it is partly because they are not yet convinced there is a serious alternative to it. They may also cling to a vestige of hope that somehow, underneath all the present hardship and turmoil, Russia is actually inching its way toward membership in the developed world, where economies are at least somewhat predictable and living standards tend to rise year after year.

It is intriguing that, amid the economic gloom in Russia, the man who first called the post-Communist oligarchy by its name—only to be dismissed by intellectuals at home and in the West as a pessimist and out of touch—is once again receiving some attention. In his new book, *Russia in the Abyss*, Solzhenitsyn writes: "Criminal is the government that throws the national patrimony up for grabs and its citizens into the teeth of beasts of prey in the absence of laws." Four years ago, when the great Nobel laureate returned to his homeland after two decades' involuntary exile, hoping to see his long-abused nation resume a normal existence, he was almost alone in his dark view of things. Today, far more Russians would agree. ♦

Green Nonsense, Black Losses

By Henry Payne

Thanks to the Clinton administration's notion of "environmental justice," black Americans in poor communities are being deprived of industry, jobs, and economic growth.

Only last April, at a New Orleans hotel, Vice President Al Gore basked in the applause of a roomful of black mayors. He had just announced an expansion of the federal empowerment-zone program, a popular bipartisan initiative that provides tax incentives to stimulate jobs and economic development in poor areas.

But just three months later, at the U.S. Conference of Mayors in Reno, those same mayors joined their colleagues in unanimously passing a resolution that denounced the administration for a new environmental rule undercutting its "stated policies of encouraging urban revitalization, retention of existing busi-

Henry Payne is a political cartoonist and writer for the Scripps Howard News Service.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

nesses and brownfield redevelopment." The mayors were upset that the Environmental Protection Agency had stealthily drafted a policy stipulating that any emissions-producing facility that has a "disparate impact" on minorities—that is, one whose emissions affect communities that are predominantly non-white—violates Title VI of the Civil Rights Act.

At a time when black unemployment remains stubbornly high, local officials are puzzled that the administration would impose a policy that threatens economic initiatives such as enterprise zones that are meant to bring industry into low-income areas and "brownfields" (abandoned industrial properties). But this "environmental justice" rule is a natural manifestation of the green politics espoused by the vice president—and it is hurting the very people it is intended to help.

Some state environmental officials describe the EPA's policy as a form of "redlining," because it effectively marks off minority areas from business investment. "There is not a brownfield in New Orleans that is not in a minority community," says Fred Barrow, a Louisiana environmental official who leads that state's efforts to develop brownfields. He fears the EPA's policy could make the entire city ineligible for development.

WITH BLACK UNEMPLOYMENT HIGH, URBAN MAYORS SAY CLINTON'S EPA IS KEEPING JOBS OUT OF POOR NEIGHBORHOODS.

So too, officials in Lansing, Mich., are trying to convince General Motors to locate a 7,000-job assembly plant in a brownfield bordered by a poor, black neighborhood. "If the EPA's Title VI policy persists," says Russ Harding, commissioner of Michigan's Department of Environmental Quality, "GM will not build in Lansing. And the losers will not be the company. The losers will be the city and the workers who won't get the jobs."

The EPA's rule applies not only to new facilities, but also to existing facilities that want to expand or need federal "re-permitting." Throughout the country, state and local officials say they believe the EPA's "environmental justice" policy will force industries to locate away from poor, minority areas to avoid costly litigation. Says Detroit mayor Dennis Archer, who drafted the mayors' resolution in Reno, the EPA's policy is "so vague and so broad that it nullifies everything that we have done to attract companies to our brownfield sites."

Seventeen states—from California to Illinois to New Jersey—have formally complained to the EPA, and the list of state groups protesting the EPA's policy is growing daily. In the past two months, the Environmental Council of the States, the National Association of Counties, the National Association of Black County Officials, and 14 state attorneys general have all demanded that the EPA withdraw its rule. Members of the Western Governors' Association have also voted unanimously against the rule—and one of those voting was Roy Romer of Colorado, who also happens to be chairman of the Democratic National Committee: an indication of just how serious a political problem the EPA's edict has become for the administration.

The intense criticism from big-city mayors and state environmental officials—traditionally Democratic allies—puts the administration in a delicate position. The "environmental justice" movement, spearheaded by radical groups like Greenpeace and Earth Justice, along with black leftists such as Ben Chavis, contends that industries—and the state agencies that oversee them—deliberately target minority communities for high-pollution facilities because residents lack the political clout to stop them. The Clinton administration has embraced this movement. Said EPA administrator and Gore protégée Carol Browner in 1994, "Nobody can question that, for far too long, communities across this country—low-income, minority communities—have been asked to bear a disproportionate share of our modern industrial life."

EPA critics contend that "environmental justice" regulations are a narrow reading of economic development. "The EPA is missing a fundamental concept," says Harding of Michigan. "A siting decision is always a series of tradeoffs. The EPA's rule does not acknowledge the economic benefits a facility brings."

In Louisiana, one company has come up against the EPA obstacle. The Shintech Corporation wants to build a $700 million polyvinyl chloride (PVC) plastics facility in Romeville, a poor community within a state-designated enterprise zone near Baton Rouge. The plant would provide the area with 2,000 jobs during construction and 255 permanent jobs. Shintech has promised job training and employment initiatives, the product of discussions with a local citizens' group and the state's Department of Environmental Quality. "Blacks are supposed to play their roles as victims," says Nanette Jolivette, a lawyer for the citizens' group. "But this community did not play that role."

Because 82 percent of residents within a four-mile radius of the plant are black, however, opponents have

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

filed a complaint under the EPA's new Title VI policy, arguing that the plant's location is racist. Representing these opponents is Greenpeace, which has an ulterior motive—it seeks an international ban on PVC production. Though the plant easily meets federal emissions requirements, it is unlikely to stand up under EPA Title VI scrutiny.

"What more do we have to do to get a plant approved?" sighs David Wise, project engineer for Shintech's plant, who says the company chose the Romeville site mainly for its access to raw materials and transportation. Wise notes that Shintech already has a big PVC plant in predominantly white Freeport, Texas—which belongs to one of the wealthiest counties in the state. He echoes states' concerns that the EPA's policy ignores sound, peer-reviewed science.

In a comprehensive review of "environmental justice" studies, Stephen Huebner of Washington University finds no evidence that minorities suffer a disproportionate exposure to pollution. Where disparities do exist, Huebner writes, "the dynamics of the housing market provide a plausible explanation."

Even the EPA's own studies—which the agency declines to make public—reportedly find no link between pollution and race. In documents uncovered by *Detroit News* reporter David Mastio, two EPA studies of Superfund sites show that whites are more likely than blacks to live around polluted sites. The House Commerce Committee is investigating whether the EPA withheld these studies from Congress because their conclusions did not support agency policy.

If the EPA rules against Shintech, it will not be the first industry killed in Louisiana this year by the Clinton administration's "environmental justice." Last April, a consortium of utilities pulled the plug on an $855 million nuclear-fuel-enrichment facility in rural Claiborne Parish, near the state's Arkansas border. Like Shintech, the enrichment plant was sited in a state-designated enterprise zone, had broad public support, and had received all of its state safety and emissions permits.

Kevin Chadwick

But the plant's location, miles from population centers, did not shield it from charges of "environmental racism." A small group of local opponents—backed by anti-nuclear activists from Greenpeace and Earth Justice—cited the 250 homes, most of them occupied by black families, scattered near the plant as evidence that the plant's location was racially motivated. "The EPA has designed environmental justice for outside interest groups with their own agendas," says Janice Dickerson of the Louisiana Department of Environmental Quality. "The EPA has locked communities out of the process."

The result is a growing feeling of disenfranchisement among local leaders, who fear that the Washington-imposed policy will negate their ability to address local problems. As Loy Weaver, a Claiborne Parish banker, says of "environmental justice" rules that have cost his community coveted manufacturing jobs, "Had we been able to bring this to a local vote, we would have gotten this plant. We were not given that opportunity because of the federal regulatory process."

Protests like that have been heard on Capitol Hill. The House will soon vote on an amendment to an appropriations bill prohibiting the EPA from funding its Title VI enforcement efforts (though 15 cases currently under review would not be affected).

Carol Browner has indicated a willingness to talk about the details of the administration's rule, but she clings to a policy that the states find unworkable. The California Environmental Protection Agency, in a letter demanding that the policy be withdrawn, argues that the federal agency cannot "lawfully issue a policy" without an act of Congress. Otherwise, Browner & Co. would have "unfettered discretion" to work all sorts of mischief.

And then there is the matter of fairness and common sense. Chris Foreman, a scholar at the Brookings Institution, has just completed a book on the "environmental justice" issue, and he scolds the administration for mixing its green ambitions with racial politics: "The administration ought to be talking about the real health problem in poor communities: poverty." ♦

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Grant and the Historians

A Better President Than They Think

By Michael Barone

Ulysses S. Grant is universally ranked among the greatest American generals, and his *Memoirs* are widely considered to belong with the best military autobiographies ever written. But he is inevitably named, by conservatives as well as liberals, as one of the worst presidents in American history.

The common verdict on Grant is that he was "an ignorant and confused president," as historian Thomas A. Bailey puts it. His administration was "the all-time low point in statesmanship in our nation's history," declares the usually perceptive C. Vann Woodward. Of Grant's tenure, Richard Hofstadter writes, "not much need be said." Even the conservative Paul Johnson calls him "a boob." Over and over again historians have quoted the venomous comment of Grant's contemporary, Henry Adams: "The progress of evolution from President Washington to President Grant was alone evidence to upset Darwin." His administration, we are told again and again, had a level of corruption never surpassed in American history.

This consensus, however, is being challenged by writers outside the professional historians' guild. Last year the prolific Geoffrey Perret published a biography which looked at Grant's presidency afresh and rendered a not altogether negative judgment. It impressed no less a reader than Bill Clinton, who, before a recent taping, told *Newshour* host Jim Lehrer that Grant has gotten a "bum rap" and (perhaps self-servingly) argued that Grant's involvements in scandal were much less than generally thought.

Now comes Frank Scaturro, amateur historian, New York lawyer, and president of the association that refurbished Grant's Tomb for its centennial last year. In his new *President Grant Reconsidered*, Scaturro makes a convincing case that Grant was a strong and, in many important respects, successful president. It is an argument full of significance for how we see the course of American political history.

All photographs Corbis Images

Frank Scaturro
President Grant Reconsidered
University Press of America, 152 pp., $40

Scaturro begins by disposing of the charges of corruption. Grant certainly used the spoils system, but so had every administration since Jackson's, and none more than Lincoln's. And Grant actually made some moves away from it: He appointed a civil-service reform commission, and his treasury secretary, George Boutwell, instituted the first civil-service exam.

The famous Crédit Mobilier scandal, involving Grant's vice president, Schuyler Colfax, concerned a bribery committed before Grant was president. The picturesque Whiskey Ring was formed during Johnson's administration and uncovered during Grant's. The fabled attempt by Jay Gould and Jim Fisk to corner the gold market was foiled when Grant ordered Boutwell to sell gold. Charges that Grant defended administration officials who broke the law turn out to be unfounded. The prosecution of Grant's secretary Orville Babcock was promoted by a treasury secretary planning a run for the presidency, and Babcock was acquitted. The one genuine scandal, Scaturro argues, was the bribing of war secretary William Belknap, and Grant fired him.

The legend of extraordinary corruption during Grant's presidency derives primarily from the complaints of those who loathed him at the time. Some of these complainers were southerners who hated his Reconstruction policy. Others had more self-interested motives. In 1869, Grant's first year in office, Henry Adams wrote a friend, "My hopes of the new administration have all been disappointed; it is far inferior to the last. My friends have almost all lost

Michael Barone is senior staff editor of Reader's Digest *and co-author of* The Almanac of American Politics.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ground instead of gaining it as I hoped. My family is buried beyond political recovery for years. I am becoming more and more isolated." When Adams and such other elite Republicans as George Curtis and Charles Eliot Norton complained that Grant did not appoint men of intelligence and standing, they had themselves in mind.

Moreover, Grant refused to talk in a way that charmed them. He was a Coolidge or an Eisenhower, not a Woodrow Wilson or an Adlai Stevenson. But Grant's silences, Scaturro argues, are not evidence of stupidity. Even as a general, he seldom said much, but he wrote his orders swiftly in a clear and graceful prose that left no doubt about their meaning. He wrote his *Memoirs* in the same way, even though wracked with pain from the cancer that was killing him. Beneath the silence a strong mind was at work. His contemporaries who looked for style missed the substance of Grant, and almost all historians since have been happy to repeat their verdict.

For modern southern historians, the reason has been simple: The victorious Yankee general Grant was the one president who tried seriously to enforce blacks' rights during Reconstruction. He was the enemy, and treated as such. For modern progressive historians, however, the answer has been more complex.

The progressives have dominated the writing of American political history for most of this century. Like Macaulay and the Whig historians of Britain during the nineteenth century, they see political history as a struggle between great forces—in this case the struggle between rich and poor, the classes and the masses. And it is a story of increasing economic redistribution achieved through increasing governmental intervention—a tale of progress, occasionally interrupted, but ultimately triumphant and beneficent.

In the hands of the progressive historians, this view of American history was married to an effort to justify—as historically inevitable and morally right—the regional basis of the Democratic party. Thus, when progressive historians examined the early nineteenth century, they saw only Jefferson's yeoman southern farmers fighting the entrenched Federalists of New England and Jackson's western frontiersmen battling the epicene Nicholas Biddle in Philadelphia. The struggle is not just between individual debtors and creditors but debtor and creditor states and regions. And the moral superiority of the debtors is the proper lesson of American history.

The earliest assertions of this progressive thesis—in, for example, Frederick Jackson Turner's famous essay "The Significance of the Frontier in American History" in 1893—came during the same era as the rise of the Populist movement and William Jennings Bryan's campaigns for the presidency. The Populists' first great cause was the free coinage of silver, so that farmers could pay off their debts to bankers in cheap money. And Bryan was the first candidate to reveal the modern divisions of regional party voting, carrying most of the states west of the Missouri and south of the Ohio and the Potomac.

THE HISTORIANS OF THE NEW DEAL WROTE PARTISAN HISTORY, AND THEY WROTE IT WELL.

This bloc of the West and South remained the base of the Democratic party from 1896 to 1956, except in 1904 (when Rough Rider Teddy Roosevelt carried the West) and 1928 (when the Catholic Democrat Al Smith lost the West and most of the South). Even when Franklin Roosevelt added Catholics and union members to the Democratic base, he carried the big industrial states of the North and East only narrowly, sometimes losing them (Pennsylvania in 1932, Michigan in 1940, Ohio in 1944), and winning by much bigger percentages in the South and West.

When the progressive historians came to deal with the New Deal, they took their cue from Roosevelt—who had placed himself in history as the successor of Jefferson and Jackson (and shrewdly annexed his cousin Theodore and Lincoln from the Republicans). These historians depicted the Depression of the 1930s as the logical result of the selfishness and frivolousness of the Republicans' 1920s.

The first volume of Arthur Schlesinger Jr.'s still unfinished *Age of Roosevelt*, for example, is about the 1920s, during which Roosevelt himself played only a small part in politics. In Eric Goldman's *Rendezvous with Destiny*, the New Deal is depicted as the final triumph of progressive ideas over the resistance of the 1920s-style past. The major issue of political history is understood to be economic redistribution: The state is needed to redress the imbalance of income and must become ever more active to fight what Franklin Roosevelt called the "malefactors of great wealth."

Like the Whig historians, the historians of the New Deal wrote partisan history, and they wrote it well. Their major books, published mostly in the 1950s and early 1960s, were beautifully written and sold well. Schlesinger's appreciations of Roosevelt and various New Dealers are shrewd and penetrating, and Goldman's narrative of intellectual history is highly persuasive. This is the history that has been absorbed by most of today's reporters—which is why the press came naturally to treat Ronald Reagan's 1980s as an age of greed like the 1920s and to assume that it would be followed by another economic disaster and another liberal

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

administration building an even larger government.

For such progressive historians and their students, Grant's presidency makes no sense. He did not favor the debtor West and South against the creditor East. He did not expand government to help the common man. He was simply a standpatter, passive and inert—just as his enemies said in his own time.

The great achievement of Scaturro's *President Grant Reconsidered* is to show that Grant had important purposes as president, that he made serious attempts to achieve them, and that he achieved considerable success.

These were not purposes that commend themselves to the progressive-New Deal tradition. The challenge Grant faced when he came to office was not economic redistribution. In 1869, the Civil War was over, but the inflation created by undisciplined printing of greenbacks was raging, and Congress and the executive branch were in bitter deadlock over the reconstruction of the South. The federal government, thanks in large part to Grant, had won a great war. But it was still failing to meet its basic duties to provide a stable currency and equally enforce the law.

Restoring economic stability was Grant's first priority. He reduced the federal deficit, vetoed the inflation bill of 1874, and pushed through a Resumption Act to withdraw greenbacks from circulation and resume specie payments.

For progressive historians, of course, Grant's policy of hard money was exactly wrong. They wanted to see in the self-interested complaints of overextended farmers and the soft-money nostrums of various crackpots the forerunners of the redistribution policies of the New Deal. But Grant in effect put the United States on the gold standard, creating a stable currency that provided for many years the basis of solid economic growth. And he did it knowingly and deliberately, overcoming severe political obstacles.

Grant as a tiring president

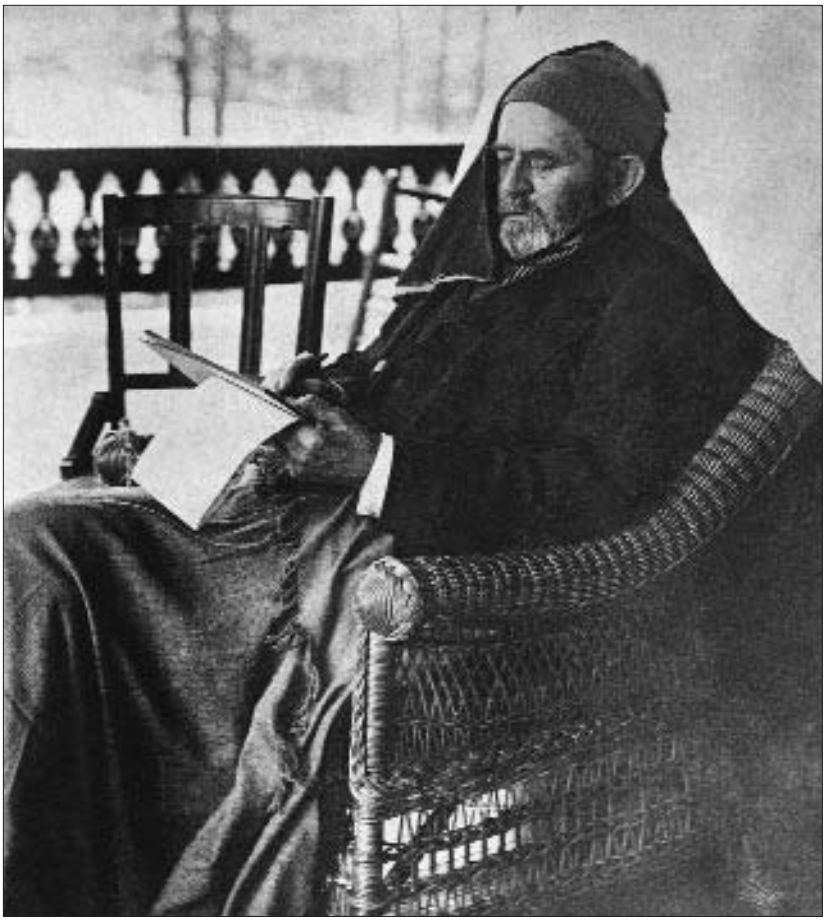
The second major challenge Grant faced was Reconstruction. During Andrew Johnson's presidency, the Ku Klux Klan had been formed and white southerners had begun to use violence to deny blacks the rights guaranteed by the Fourteenth Amendment. In response, Grant pushed through the Fifteenth Amendment, giving the federal government power to enforce voting rights, and deployed the Army to quell violence and guarantee fair elections. For this he was attacked both by white southerners, who characterized Reconstruction as oppression, and by liberal Republicans, who attacked the alleged corruption of Republican politicians in the South.

His policy eventually foundered when it became apparent that northern voters—weary of war and resenting the use of the military to help Negroes—preferred the apparent order of southern white rule to the apparent disorder of enforcing the Constitution. It was this feeling, more than a response to economic events, that produced Democratic majorities in Congress after the elections of 1874.

The later withdrawal of federal troops and the move in ensuing years toward southern segregation were probably inevitable: Segregation was accepted by Grant's Republican successor Rutherford B. Hayes after he won the decisive electoral votes in the disputed 1876 election, and it certainly would have been the policy of the popular-vote winner, Democrat Samuel Tilden. But Grant's unsustained Reconstruction policy was the only serious attempt between the presidencies of Lincoln and Truman to try to use federal power to guarantee the rights of black Americans.

It was understandable that southern traditionalists should attack Grant, but it seems odd that he received almost no credit from progressive historians. But then the New Dealers were not, in fact, much concerned with full rights for blacks. For them it was more important to keep together the base of the progressive Democratic party in the West and South.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



The dying Grant, wracked with cancer, writing his memoirs

It's true that some did lament the opposition of white southerners to granting even minimal rights to blacks, and some hoped vainly for an alliance between poor whites and blacks. This is, for example, the theme of V. O. Key's 1949 *Southern Politics*. But a more typical New Deal figure was Claude Bowers. Bowers's progressive credentials were never in doubt: As Roosevelt's ambassador to Spain he unsuccessfully urged the sale of arms to the leftist government in the Spanish Civil War. But he also wrote a book on the horrors of Reconstruction and its oppression of whites. And in the 1950s and early '60s, Democrats like Adlai Stevenson and John F. Kennedy urged delay on civil rights, lest the South break away from the Democratic party. For all such figures—the progressive politicians and progressive historians alike—Grant's Reconstruction policy was almost as unpalatable as his push for hard money.

Grant's isolated America did not face grave foreign-policy challenges. But, Scaturro argues, his policies foretold later expansionism and internationalism. His *Alabama* treaty with Great Britain submitted a festering Civil War dispute to international arbitration, anticipating Theodore Roosevelt in seeking useful forms of international law to settle disputes. His attempt to annex Santo Domingo was scuttled by Senate Foreign Relations Committee chairman Charles Sumner, but it presaged America's expansion in the Caribbean in the 1890s—as did Grant's first moves toward building a canal in Panama.

In the process, Grant showed considerable political skill. After his Santo Domingo defeat, he ensured the success of the *Alabama* treaty by having Sumner stripped of his chairmanship—an assertion of executive power that would have been applauded by most New Deal historians if Roosevelt had done it. And even Grant's defeats showed his devotion to blacks: He seems to have imagined that Santo Domingo could be admitted into the United States as three or four black-majority states, each a source of black political power in the Congress and a haven for blacks oppressed in the American South.

Frank Scaturro's work in *President Grant Reconsidered* should prompt a reassessment of the entire progressive-New Deal tradition—the coalition of politicians and historians using American history to justify both the regional basis of the Democratic party and the policies of an expanding federal bureaucracy dedicated to economic redistribution.

Conservatives especially have a stake in the reassessment of President Grant. Over the years, groups of historians have been assembled by Schlesinger and others to create well-publicized rankings of American presidents. But all such progressive historians put a premium on presidents who enlarge government, and by that measure, Grant inevitably comes out at the very bottom.

It makes more sense to put a premium on maintaining the stable possibility for individuals in a civil society to improve their lives and the lives of others. By this measure, Grant does not rank as high as Washington, Lincoln, the Roosevelts, Coolidge, and Eisenhower. But he ranks well above, for example, Kennedy and Johnson, presidents whom many historians—and the journalists they have trained—still seem to regard as among the best and brightest. A proper appreciation of Grant is an excellent step toward breaking the progressives' stranglehold on the study of American history—and developing in students a better appreciation of the benefits our history has brought us. ♦

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Being and Nazism

The Problem of Martin Heidegger

By Edward T. Oakes S.J.

From one point of view, the fact that the twentieth century's most important philosopher is also its most notorious is of no importance. As the famous scholar of medieval philosophy, Etienne Gilson, once observed, everything in the history of philosophy that can be traced to history is irrelevant to philosophy. The sometime Nazi, Martin Heidegger, may be the only Western philosopher better known for his person than his doctrine, but that cannot touch his achievement in permanently altering the landscape of philosophical thought.

And yet, from another point of view, the moral failings of a philosopher not only outweigh his philosophy, but wreck it. We may accept that a great mathematician or even a great artist can also be immoral, but we expect something more from thinkers whose model is Socrates. The accumulation of Heidegger's moral blind spots rightly makes readers suspect the philosophy that allowed them.

Ever since the end of World War II, the estimation of Heidegger has swung between these two points of view. Immediately after the war, he was widely denounced as Hitler's theorist and apologist, and the allied censors in occupied Germany refused him permission to teach. But in the early 1950s, his former student Hannah Arendt published an essay that both introduced to America the word "existentialism" and began the restoration of Heidegger's reputation. When he died in 1976, newspaper obituaries still referred to him as the "noted Nazi philosopher." But among intellectuals by the late 1970s, he seemed rivaled only by Ludwig Wittgenstein as the greatest philosopher of the century.

Rüdiger Safranski
Martin Heidegger
Between Good and Evil
Harvard University Press, 480 pp., $35

Within a few years, however, the accepted view of Heidegger quickly began to change. In 1987, Victor Farias's *Heidegger and Nazism* was published in Europe, documenting the massive extent of the philosopher's involvement with Hitler's government. Just as the "Heidegger controversy" seemed to be dying down, Elzbieta Ettinger fanned it again in 1995 with a study of Heidegger's affair with and wretched treatment of Arendt, who seems to have remained in love with the philosopher until he died. Over the last three years, at least a dozen books have appeared in America denouncing Heidegger and hunting through his philosophical writings for the flaws that produced and justified his behavior.

It is Rüdiger Safranski's great merit that he endeavors in his new biography *Martin Heidegger: Between Good and Evil* to present unflinchingly both these ways of viewing Heidegger. A great deal of the contemporary reaction against the philosopher seems motivated by current standards of political correctness in American academia. But there is no way around the fact, for example, that Heidegger's inflated view of his own place in the history of philosophy is one of the things that led him to greet the rise of Hitler as a new chapter in the history of Being. His speculations before the Nazis may seem confined almost entirely to the abstractions of metaphysics, but Safranski points to a passage in the classic 1927 *Being and Time* where Heidegger avers that only a "hero" can fill the cavity of Nothingness lurking in the human soul.

The passage, as Safranski notes, occurs in a book little known for its call to historical action. Nevertheless, Heidegger became convinced by the instant success of *Being and Time* that he had a more crucial role to play in the history of the West than merely providing a philosophical diagnostics. And so when Hitler came to power, Heidegger duped himself into believing that he could shape National Socialism into his own eccentric philosophical mold.

Within months of Hitler's accession, Heidegger accepted the rectorship of Freiburg University and immediately began running the school according to the Führer principle: Jewish professors were dismissed, the Faculty Senate was abolished, and students were led off to what Heidegger rather grimly called a *Wissenschaftslager*—"Scholarship Boot Camp"—where the "sterile preoccupation with the ideologies of Christianity and positivist fact-mongering" were to be overcome with pep talks from the Master himself. "They departed from the university in close marching order," Safranski writes. "Heidegger had selected a small circle of associate professors and students [with] these stage directions: 'The company will proceed on foot and SA or SS uniforms will be worn.'"

One result of this absurd outing was to make the man look silly in the eyes of both faculty and students, but Heidegger seems to have gained from it a picture of himself as the thinker who brought philosophy into living history: the great man in "the vanguard of the revolutionary students," who "in knee-breeches and with an

Edward T. Oakes S.J. teaches in the religious studies department of Regis University in Denver, Colorado.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

open-necked shirt" stands "against the stodginess underneath the academic gowns."

Such self-absorption is evident not merely in his Nazi period. Safranski considers the possibility that Heidegger abandoned his native Catholicism precisely because he had been so *favored* by the Church. Born into a lower-middle-class household in a small Swabian village in 1889, he could never have afforded the education he received except at church-supported schools; when poor health forced his departure from the seminary, he presented himself as a promising young Catholic philosopher in order to qualify for educational financing. But—at least according to Safranski in one of his more speculative moods—the generosity of his benefactors made him seethe with resentment against the system that had supported him.

After the accounts of these and many other glaring episodes in Safranski's unsparing biography, the temptation becomes nearly irresistible to dismiss the doctrine because of the man. But Safranski refuses to allow the reader to escape so easily. Without ever bluntly calling such a dismissal vulgar or lazy, he makes clear that Heidegger has thrown up a mountain of ontological reflection that cannot be ignored.

In *Martin Heidegger*, Safranski reveals a remarkable talent for presenting complex philosophical ideas in an accessible and pithy way. He is clear without distorting the complexity of the issues, and his chapter on *Being and Time* is the best essay-length introduction to that difficult work. His style, however, may strike some readers as wooden. He calls Heidegger's prose "laconic but cumbersome," though his own is perhaps best described as "terse but choppy"—and the translation by Ewald Osers, while serviceable, seems to have little feel for English idiom or cadence.

The somber Teutonism of the text and translation, however, end up serving the point of the biography. *Martin Heidegger* makes no attempt at exoneration: Safranski shows clearly, for example, that Heidegger resigned his rectorship not because of disaffection from the Nazis (as he later pretended), but because of his frustration at the *lack* of zeal and purity in the revolutionary movement. But the book is at the same time free of the kind of moralism that replaces nuance with indignation. In Safranski's biography, Heidegger emerges as a philosophers' version of *Rain Man*: the idiot-savant who transformed twentieth-century philosophy and yet could lead—in his William Tell lederhosen—a group of overage Nazi Boy Scouts to his hut in the Black Forest and think he was thereby inaugurating a new chapter in the history of Being.

Martin Heidegger

Not even the most despicable of Heidegger's actions ever dissuaded those who knew him of his genius. Nearly every student who took his seminars—from Hannah Arendt to Karl Rahner and Hans-Georg Gadamer—speaks of Heidegger's astonishing ability to make philosophers come alive in the seminar room, as though he were conducting a seance with the departed spirits of philosophy. Moreover, as Safranski points out, there is not a whisper of racism in Heidegger—something noted by the Nazis themselves when they prevented him from joining the official German delegation to the 1937 Descartes Conference in Paris.

None of this exonerates either the philosopher or his philosophy. But it does point toward a way to judge them, both together and separately.

Safranski is no apologist for Heidegger, but he sets out the issues and positions fairly, sympathetically, and succinctly. And he shows how genuinely disputable Heidegger's thought remains—its philosophical profundity neither entirely untouched nor entirely ruined by the man's failings. Perhaps the most exciting chapter in *Martin Heidegger* is Safranski's account of the public debate between Heidegger and the famous neo-Kantian and Enlightenment-enthusiast Ernst Cassirer, who shortly after their encounter in the spring of 1929 was elected Rector of Hamburg University, the first Jewish rector of a German University.

As it happens, their stylized debate took place in the same Swiss mountain town, Davos, where Thomas Mann had placed the fictional debate between the humanist Settembrini and the Jesuit Naphta in his 1924 novel *The Magic Mountain*, a coincidence the author uses to great effect. Here on the same dais

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

were Cassirer, the *grand seigneur* of political humanism and cultural idealism, and Heidegger, the spearhead and *enfant terrible* of all that was new and revolutionary in German thought.

It is a mark of the balance of his remarkable biography that Safranski can conclude both that Cassirer was right and that Heidegger was deeper—for it was Heidegger's achievement to see how culture can anesthetize man by cosseting him in cozy everydayness and aesthetic indulgence. Heidegger saw his task not to humanize the barbarian, as Cassirer wanted to do, but "to throw man out of his lazy habit of using works of the spirit to hide from the hardness of his fate."

One finishes this new biography with a rare sense of a balance achieved—a recognition of Heidegger's genius coupled with a commensurate dismay that his genius did not prevent and in some cases encouraged his personal failings. Safranski has done Heidegger a great service, but only because he has performed an even greater service to the truth. ♦

PRESENT AT THE CREATION

America's Founders and Religion

By Matthew Spalding

The Supreme Court's doctrine of a wall between church and state has become something more in America than merely legal opinion. It is a shibboleth, an icon, a touchstone. It seems almost an article of faith, and it surely must be what the founders themselves intended for the nation: the third in a trinity with God and Country.

You can hear what the doctrine has become in that peculiar moment in 1992 when George Bush rambled about his experience of being shot down during World War II:

> Was I scared floating in a little yellow raft off the coast of an enemy-held island, setting a world record for paddling? Of course I was. What sustains you in times like that? Well, you go back to fundamental values. I thought about Mother and Dad and the strength I got from them, and God and faith—*and the separation of church and state*.

One can believe that Lieutenant Bush thought about God back at that moment of deadly danger. But President Bush couldn't talk about it later without immediately adding another "fundamental value." The separation of church and state is so important that God can't be mentioned in public without it.

The odd thing, however, is that this separationist view of church and state is relatively new. It was in the landmark 1947 case *Everson* v. *Board of Education* that the Supreme Court expanded its definition of the Establishment Clause of the First Amendment to ban all public aid to religion, declaring that government must be absolutely neutral—not just between particular religions but between religion and nonreligion. "In the words of Jefferson," noted the majority opinion, "the clause against the establishment of religion by law was intended to erect 'a wall of separation between church and state.'"

There is now showing at the Library of Congress, through August 22, a powerful counter to the historical amnesia by which we've forgotten the way things were before *Everson*. Organized by the library's chief of manuscripts, James H. Hutson, *Religion and the Founding of the American Republic* demonstrates with its display of both famous and little-known documents that religion and government were understood by the nation's founders to be quite close. Far from wanting to expunge religion from our public life, they saw it as a necessary and vital part of their *novus ordo seclorum*. They sought the official separation of church and state in order to build civil and religious liberty on the ground of equal natural rights, but they never intended—indeed, they roundly rejected—the idea of separating religion and politics. Jefferson's wall, it turns out, was originally intended to be permeable.

The library's exhibition begins by showing the many early immigrants who, faced with religious persecution in the Old World, sought refuge in the New. They didn't always find it, of course, as various sects tried to enforce religious uniformity in the American colonies. But eventually, the multiplicity of religious practices in the New World—Anglican, Baptist, Congregationalist, Episcopal, Methodist, Presbyterian, Shaker, Quaker, even Catholic and Jewish—compelled religious toleration.

This religious toleration didn't mean the decay of religious fervor in colonial America—and the churches contributed greatly to the American Revolution. In 1776, by one estimate, between 71 and 77 percent of Americans attended regular services. John Adams reported that the clergy of Philadelphia "thunder and lighten every Sabbath" about British tyranny, while Jefferson described how "pulpit oratory ran 'like a shot of electricity' through the whole colony" of Virginia.

The Continental Congress was not slow to take advantage of the religious fervor in the new nation. Its first proclamation set a national day of "public humiliation, fasting

Matthew Spalding is director of lectures and educational programs at the Heritage Foundation.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Christ Church, Philadelphia

John Duché offering the first prayer in Congress, September 7, 1774, as portrayed in a stained-glass window, Christ Church, Philadelphia.

and prayer." One of the more eloquent later proclamations—issued under the signature of John Jay, later first chief justice of the United States—asked that God "be our shield in the day of battle, our comforter in the hour of death, and our kind parent and merciful judge through time and through eternity."

Congress followed its own advice, hiring chaplains, opening its sessions with prayer, and attending religious services. There was also plenty of cooperation between church and state. The articles governing conduct in the Army and the Navy called on officers and soldiers to attend divine services and prescribed punishment for those who behaved "indecently or irreverently" in church. In 1778, Congress ordered that a report to the nation be read by "ministers of the gospel of all denominations . . . immediately after divine services." When preachers warned of a shortage of Bibles, a congressional committee approved a petition for private publication—and when it was completed in 1782, Congress passed a resolution recommending "this edition of the Bible to the inhabitants of the United States."

But more telling even than the entanglement of the Continental Congress with religion is the entanglement of religion with the Continental Congress. There was an overwhelming—and, after this exhibition, undeniable—religious sense to the whole American experiment. As Hutson puts it in the book he prepared to accompany the exhibition,

> The plain fact is that, had American clergymen of all denominations not assured their pious countrymen, from the beginning of the conflict with Britain, that the resistance movement was right in God's sight and had His blessing, it could not have been sustained and independence could not have been achieved. Here is the fundamental, the indispensable, contribution of religion and its spokesmen to the coming of the American Revolution.

PUBLIC CHURCH SERVICES WERE HELD IN THE HOUSE CHAMBERS UNTIL AFTER THE CIVIL WAR.

This sense of mission is captured in the proposed Great Seal of the United States devised by Benjamin Franklin and Thomas Jefferson in 1776—which borrowed from Exodus to show God's intervening to save the Israelites (Americans) from Pharaoh (George III) and his armies.

The first Congress under the new Constitution largely patterned itself after the old Congress: hiring chaplains, issuing proclamations, attending religious services, and repassing legislation upholding morality in the military. In general, the new government held to the idea that religion, being necessary for morality, was necessary for republican government. "Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports," George Washington declared in his 1796 Farewell Address. "In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens."

There are historians and legal scholars who have argued—both before and after *Everson* was handed down in 1947—that a shift occurred

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

during the Revolution that committed the nation to secularism. The battle over religious disestablishment in Virginia, the passage of the First Amendment, and President Jefferson's 1802 letter to the Danbury Baptists all point—for these modern secularists—to the conclusion that the founders were actually following European Enlightenment figures (especially John Locke) in seeking to defang religion and banish it from the public square.

But the direct influence of Enlightenment thinkers turns out to be overstated. In his survey of the political literature of the American Founding, Donald Lutz discovered that the most cited book between 1760 and 1805 is the Bible—accounting for about one-third of all citations. Saint Paul is quoted as often as Montesquieu and Blackstone, the two most quoted secular authors, while Deuteronomy alone has almost twice as many citations as Locke.

Even the three paradigmatic episodes of early secularism to which modern separationists point turn out to teach a different lesson. The disestablishment of religion in Virginia, for instance, derived not from those who opposed religion, but from Christians who thought disestablishment necessary to prevent the subsidizing of one denomination over another. Jefferson's "Bill for Establishing Religious Freedom" was passed by a coalition assembled, under the leadership of James Madison, to defeat Patrick Henry's proposed "Bill Establishing a Provision for Teachers of the Christian Religion"—and the majority of votes came from evangelicals, led by the strong efforts of the Baptists.

So too, a close examination of the First Amendment reveals not secularism but the intention of Congress to prevent religious favoritism by the national government. Nothing in the history of the congressional debates over the Bill of Rights suggests the desire to make the government neutral to religion or prevent non-discriminatory support. Indeed—as the new exhibition notes—the day after Congress passed the First Amendment, it requested that the president call for a day of public prayer to acknowledge "the many signal favors of Almighty God."

Even Jefferson's famous letter to the Danbury Baptists—with its claim of "a wall of separation between church and state"—doesn't offer unmitigated support for modern secularism. In preparation for the exhibition, the Library of Congress asked the FBI laboratories to decipher what was written under the inked-out lines of the draft letter. And it turns out that Jefferson, after consulting members of his cabinet, toned down his language so as not to offend religious-minded supporters in New England: removing references to "temporal power" and the word "eternal" before "wall of separation." The result of this discovery, says Hutson, is an awareness that the letter was political and not intended as a philosophical elucidation of the First Amendment. Two days after writing the letter, Jefferson attended religious services in the House of Representatives.

Indeed, soon after Congress moved to the new Capitol building in 1800, various denominations—including Catholics beginning in 1826—held public church services in the House chambers, a practice that continued until after the Civil War. Services were also held in the Supreme Court chambers. Previously overlooked documents show that Jefferson regularly attended these services and allowed executive-branch buildings—one document describes a four-hour service in the Treasury building—to be used for similar religious services. "It is no exaggeration to say," Hutson writes, "that, on Sundays in Washington during Thomas Jefferson's presidency, the state became the church."

"Whatever may be conceded to the influence of refined education on minds of peculiar structure," Washington once noted, "reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle." The real separation of church and state—the one the founders actually intended—must allow and encourage a certain mixing of religion and politics on the level of political action. While individuals can worship freely according to the dictates of their consciences, there must be a common understanding of morality underlying their religious differences. It is this consensus that needs to be revived, and government—based on the consent of self-governing citizens—cannot remain neutral.

Americans should go see this marvelous new exhibition, either now at the Library of Congress or when it travels revival-like around the country. If enough do, no one will ever be able to claim again that *Everson* represents the thinking of the founders. And perhaps even the Supreme Court's great wall of separation will at last come tumbling down. ♦

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

All Guts, No Glory

Steven Spielberg's World War II

By John Podhoretz

Steven Spielberg wants you to know that War is Hell. In service of this profoundly original idea, which no one has had the courage or wisdom to express before, he has given birth to *Saving Private Ryan*. Using all the cinematic magic at his command—which is almost unlimited, given that he is the most financially successful entertainer in the history of the Earth and actually owns the movie studio that financed *Saving Private Ryan*—Spielberg has recreated the D-Day landing and the week following the Allied invasion of Europe in World War II.

The twenty-five-minute depiction of the horrific battle to take Omaha Beach that opens the film is staggering in its intensity. So is the twenty-five-minute fight near a small bridge in a French town with which the film ends. Between the two sequences, Spielberg shows us French towns reduced to rubble and a French countryside alive with menace. The craftsmanship is awesome. There has never been anyone like Spielberg, really: He is a movie director the way you are a person who breathes, and he seems to have coursing through his blood the distilled experience and skill of a century of directors before him.

He has, in fact, everything an artist ought to have—everything except wisdom, vision, and soul, which is to say that he isn't really an artist. This is the conundrum of the cinema: The people who make great popular art usually aren't artists themselves, but somehow manage in collaboration to fashion works that can stay with you for a lifetime.

Saving Private Ryan isn't one of those works. It is at once the most powerful war movie ever made and the least meaningful. Spielberg takes World War II and, in the interest of paying tribute to the almost unimaginable sacrifices made by those who fought it, minimizes the war beyond recognition. *Saving Private Ryan* isn't a tragic story of loss, a noble story of heroism, or an ironic story about insignificant men trapped in a struggle beyond their comprehension. It tries to be all of these things, and it ends up being none of them. Spielberg has no idea what to make of what he is showing us and wants to make us believe that complexity and confusion are the same thing.

Now, there's no shame in getting the message wrong in a drama of war. Tolstoy's *War and Peace* is built on a patently absurd theory of the meaninglessness of individual humans in battle and manages nonetheless to be the greatest of war novels. *Gone with the Wind* is told from the perspective of those who waged a bloody war for the express purpose of preserving slavery and is still magnificent. What makes a war story work is the interaction of world-historical events with characters—real, identifiable characters who feel and act and conduct themselves as you or I would. War stories ask the most profound questions about human conduct under conditions of extreme stress and danger.

So does *Saving Private Ryan*, but it offers no coherent answers. In part that's because every character in the movie is a cipher, except George C. Marshall, who sets the plot in motion. And Marshall seems like a real person only because he *was* a real person. Half an hour into the movie, Marshall receives word that three Iowa brothers named Ryan have all died in the same week, two on D-Day and one in the Pacific theater. A fourth Ryan brother, a paratrooper, is missing somewhere in France. Remembering a letter Abraham Lincoln wrote to console a woman who lost five sons in battle, Marshall decides the army must do what it can to save the fourth Ryan and send him home.

The duty falls to Tom Hanks, with whom we have just experienced the landing at Omaha Beach. The Omaha Beach sequence is extraordinary in every sense of the term; Spielberg spent almost $20 million to stage the nightmarish D-Day assault that ended with three thousand American soldiers dead on a narrow strip of beach. It's a seamless merger of special effects, makeup effects, sound effects, and choreography, as realistic and graphic as the scene in Spielberg's *Jurassic Park* when a giant Tyrannosaurus Rex attacks a sport-utility vehicle.

Only instead of depicting a confrontation between actors and an animal that doesn't exist, Spielberg is using his craftsmanship to bring home to audiences deadened by years of graphic violence what it might have been like to be under assault from machine-gun fire. Robert Capa, the great World War II photographer who was there on Omaha Beach, spoke of "a new kind of fear shaking my body from toe to hair, and twisting my face." Spielberg certainly does capture the causes for that fear—not only the incessant pinging of bullets and the chaotic mix of explosions and screams, but the agonies of the wounded and dying. Arms and heads are blown off on camera; soldiers frantically try to stuff their innards back in their nearly eviscerated bodies before dying.

There's already been a lot of talk about how *Saving Private Ryan* is the

A contributing editor to The Weekly Standard, *John Podhoretz edits the editorial pages of the* New York Post.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

first movie to show battle in all its naked bloodiness, but that's just hype. There's no single shot in this sequence to compare with the image of thousands of dead and dying Southern soldiers lying on the Atlanta railroad tracks in *Gone with the Wind*. And while no movie has ever gone quite as far as *Saving Private Ryan* in showing what the insides of a human body look like, there's no moment as powerful as when a terrified southerner in *Gone with the Wind* begs a stolid doctor not to amputate his gangrenous leg without anesthetic.

And when it comes to the use of gore on screen, Spielberg's motives are suspect in any case. He has a thirty-five-year record of taking obnoxious joy in trying to gross out audiences with special effects. In fact, he helped bring viscera, once relegated to drive-in fare with titles like *The Wizard of Gore*, to the big-budget Hollywood movie. Remember the blood that poured from Robert Shaw's mouth as the shark bit him in two in *Jaws*? Or the heart that was pulled straight out of a man's chest in *Indiana Jones and the Temple of Doom*? The battlefield gore in *Saving Private Ryan* is really just another example of Spielberg's hunger to offer thrills and chills above all else. Just as he supervised the construction of a "Back to the Future" ride at Universal Studios, so *Saving Private Ryan* is his version of a World War II ride.

The grave weakness of the otherwise superb *Schindler's List* was that Spielberg and screenwriter Steven Zaillian never bothered to give names or faces or identities to the Jews we saw walking into the gas chambers. The same is true in *Saving Private Ryan*. Hundreds die on screen, but they're just extras. We just watch them die, and if their guts weren't hanging out, we wouldn't respond at all.

Nor is there much to care about in the drama that unfolds after Hanks is given the mission of finding Private Ryan. He brings along seven men, and it's a mark of how little Spielberg and screenwriter Robert Rodat care about these individual characters that five minutes after the movie is over, you can't remember their names. One guy has a Brooklyn accent; another is a Jew; a third is an Italian. There's a sensitive novelist, a doctor, and a gruff but lovable sarge.

What happens *to* them is affecting. How can you fail to be affected by the sight of a soldier cradled in his buddies' arms as the life seeps out of him? But there's nothing to these men but banter, anger, and sullenness. We like the captain, but that's

Dreamworks, Photo: David James

only because he is played by Tom Hanks, the most likable actor alive.

The moral dilemma posed by the movie has to do with carrying out orders. Is it fair that eight men should risk their lives to save a single soldier? Don't their families have the right to see them home safe? Why should they be called upon to make the ultimate sacrifice to make George Marshall feel better?

The logic of *Saving Private Ryan* is that of a classic anti-war novel or film, like *All Quiet on the Western Front* or *The Good Soldier Schweik*: men put in absurd danger for no good reason. But Spielberg, who has practically become a secular saint since the release of *Schindler's List*, cannot bring himself to make a purely pacifist tale about World War II. His reluctance is understandable, but his movie sinks into a morass as a result.

He is so concerned with depicting the horror of Omaha Beach that he doesn't allow the audience to enjoy the courage of Hanks and his men as they succeed in routing one of the German positions. When Hanks's rescue mission finally locates the missing soldier, Private Ryan bravely refuses to abandon his post until reinforcements arrive. Spielberg's determination to avoid "gung ho" or "macho" clichés (as he has told many interviewers) is so strong that he doesn't know what to make of Ryan's declaration. He just records it as Hanks and the rest of his men stand around uncomfortably. If their director can't figure out whether Ryan is noble or foolhardy, how can the actors?

The movie ends with Hanks's brigade pulling off another triumph—but if their last stand had led to a defeat, the moment could not have been depicted any more somberly. Like an inflexible preacher with a single message to convey, Spielberg will not let anything come between the audience and his assertion that War is Hell.

But isn't this why artists have been grappling with war since Homer's time—that out of the carnage and waste and loss of war, men prove themselves capable of bravery and self-sacrifice? That even in the noblest of causes, men behave barbarically—and that even in barbaric causes, like the southern side of the Civil War, men behave heroically? Indeed, the word "heroism" was once solely associated with war.

World War II was a just war—the just war to end all just wars. It was hell, but it was more than hell too. Omaha Beach was a site of tragedy *and* triumph, and it was the triumph that gave meaning to the tragedy. Spielberg's inability to grasp these ideas, which aren't all that complicated, shows his limitations not only as an artist but as an adult. ♦

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

OUT OF THE LOOP

A White House Sojourn in the Dark: The Memoirs of Mike McCurry

TABLE OF CONTENTS

Foreword by Sidney Blumenthal
"What Mike Didn't Know Could Fill a Book".....ix

Chapter One
Monica, We Hardly Knew Ye—God Knows I Didn't.....1

Chapter Two
Betty Currie, Who She?.....2

Chapter Three
The Many People at the White House I Had No Contact With 3

Chapter Four
"No Comment": The Evolution of a Strategy.....5

Chapter Five
The First Lady and the First Mummy: A Comparative Appraisal.....8

Chapter Six
Saying "I Don't Know" and Meaning It.....9

Chapter Seven
Complicated Human Relationships Are Unknowable, Essentially.....10

Chapter Eight
Vernon Jordan? Never Met the Man!.....12

Chapter Nine
That Information Is Sealed.....13

Chapter Ten
Other Information I Didn't Have Access To.....15

Afterword
I Get Out Just In Time.....225

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED